| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
|---|---|---|---|---|---|---|
| 4. | M/s. The Kanyakumari District Co-operative Spinning Mills Ltd., Aralvaymozhi-629301. | TN/5610 | S-35014/83/83-PF-II SS-II dated 24-7-87 | 6-5-89 | 7-5-89 to 6-5-92 | 2/872/83-DLI |
| 5. | M/s. Swamiji Mills Limited, 76, P.K.S. Street Sivakasi-626123 (Kamaraj District) | TN/6357 | S-35014/306/83-PF-II SS-II dated 3-12-86 | 27-1-90 | 28-1-90 to 27-1-93 | 2/970/83-DLI |
| 6. | M/s. Pioneer Spinners, Kamudakudi-623719, Paramakudi Taluk, Ramanathapuram Distt. | TN/7707 | 2/1959/DLI/Exemp/89/ Pt-I/545 dt. 1-9-89 | 31-12-89 | 1-1-90 to 31-12-93 | 2/2058/89/DLI |

SCHEDULE II

1. The employer in relation to each of the said establishment (hereinafter referred to as the employer) shall submit such returns to the Regional Provident Fund Commissioner concerned and maintain such accounts and provide such facilities for inspection, as the Central Provident Fund Commissioner may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of sub-section (3A) of Section 17 of the said Act within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts, submission of returns, payment of insurance premia, transfer of accounts, payment of inspection charges etc. shall be borne by the employer.

4. The employer shall display on the Notice Board of the establishment, a copy of the rules of the Group Insurance Scheme as approved by the Central Government/Central Provident Fund Commissioner as and when amended, alongwith translation of the salient features thereof in the language of the majority of the employees.

5. Whereas an employee, who is already a member of the Employees' Provident Fund or the Provident Fund of an establishment exempted under the said Act, is employed in his establishment the employer shall immediately admit him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India.

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately if the benefits available to the employees under the said Scheme are enhanced so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amounts payable under the Scheme be less than the amount that would be payable had the employees been covered under the said Scheme, the employer shall pay the difference to the nominee(s)/legal heir(s) of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme shall be made without the prior approval of the Regional Provident Fund Commissioner concerned and where any amendment is likely to effect adversely the interest of the employees, the Regional Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employee to explain their point of view.

9. Where for any reason, the employees of the said establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the said establishment, or the benefits to the employees under this Scheme are reduced in any manner, the exemption shall be liable to be cancelled.

10. Where for any reason, the employer fails to pay the premium etc. within the due date, as fixed by the Life Insurance Corporation of India, and the policy is allowed to lapse, the exemption shall be liable to be cancelled.

11. In case of default, if any made by the employer in payment of premium the responsibility for payment of assurance benefits to the nominee(s) legal heir(s) of deceased member who would have been covered under the said Scheme but for grant of this exemption, shall be that of the employer.

12. Upon the death of the member covered under the Group Insurance Scheme the Life Insurance Corporation of India shall ensure prompt payment of the sum assured to the nominee(s)/legal heir(s) of the deceased member entitled for it and in any case within one month from the receipt of claims complete in all respect.

B. N. SOM
Central Provident Fund Commissioner

## NATIONAL CAPITAL REGION PLANNING BOARD

New Delhi, the 19th March 1990

No. C-11031/1/88-NCRPB.—In exercise of the powers conferred by section 37 of the National Capital Region Planning Board Act, 1985 (2 of 1985), the Board with the previous approval of the Central Government, hereby makes the following Regulations, namely :—

1. Short title and Commencement :—

(1) These regulations may be called the National Capital Region Planning Board Contributory Provident Fund Regulations, 1990.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions : In these regulations, unless the context otherwise requires,—

(i) "Act" means the National Capital Region Planning Board Act, 1985 (2 of 1985);

(ii) "Acounts Officer" means the officer to whom the duty to maintain the Provident Fund account of the subscriber has been assigned by the Board;

(iii) "Board" means the National Capital Region Planning Board constituted under sub-section (1) of Section 3 of the Act;

(iv) "Chairman" means the Chairman of the National Capital Region Planning Board;

(v) "emoluments" means pay, leave salary or subsistence grant as defined in the regulations and includes :

(a) dearness pay appropriate to pay, leave salary or subsistence grant, if admissible;

(b) any wages paid by Board to employees not remunerated by fixed monthly pay; and

(c) any remuneration of the nature of pay received in respect of foreign service:

(vi) "family" means :

(a) in the case of a male subscriber, the wife, parents, children, minor brothers, unmarried sisters, deceased son's widow and children, and where no parents of the subscriber is alive, paternal grand parents :

Provided that—

if a subscriber proves that the wife has been judicially separated from him or has ceased under customary law of the community to which she belongs, to be entitled to maintenance she shall henceforth be deemed to be no longer a member of the subscriber's family in matters to which these regulations relate unless the subscriber subsequently intimate in writing to the Accounts Officer that we shall continue to be so regarded.

(b) In the case of a female subscriber, the husband, parents, children, minor brothers, unmarried sisters, deceased son's widow and children, and where no parents of the subscriber is alive, a paternal grand-parents :

Provided that—

if a subscriber by notice in writing to the Accounts Officers expresses her desire to exclude her husband from her family the husband shall henceforth be deemed to be no longer to member of the subscriber's family in the matters to which these rules relate, unless the subscriber subsequently cancels such notice in writing.

(vii) "Fund" means "The Contributory Provident (NCRPB) Fund;

(viii) "leave" means any kind of leave recognised by the regulations;

(ix) "Member secretary" means Member Secretary of the Board;

(x) "regulations" means National Capital Region Planning Board Regulations, 1986;

(xi) "year" means a financial year;

(xii) Any other expression or word used in these regulations which is defined either in the Provident Funds Act, 1925 (19 of 1925) or in the National Capital Region Planning Board Act, 1985 and the National Capital Region Planning Board Regulations, 1986 used in the sense therein defined.

3. Constitution of the Fund :—

(1) The fund shall be maintained in rupees.

(2) All sums paid into the Fund under these regulations shall be credited in the books of the Board to an account named "The Contributory Provident (NCRPB) Fund Account". Sums of which payment has not been taken within six months after they become payable under these regulations shall be transferred to "Deposits" after 31st March of the year and treated under the ordinary rules relating to "Deposits".

4. Conditions of eligibility : (1) These regulations shall apply to every non-pensionable employee of the Board.

(2) Every employee of the Board to whom these regulations apply shall subscribe to the Fund

(3) If a Board's employee admitted to the benefit of the Fund was previously a subscriber to any other Contributory or non-contributory Provident Fund of the Central or State Government or of any Organisation, the amount of his subscriptions and the contributions in the Contributory Provident Fund or the amount of his subscriptions in the non-contributory Provident Fund, as the case may be, together with interest thereon, shall be transferred to his credit in the Fund, with the consent of that Government or Organisation.

## NOMINATIONS

5. Nominations :—(1) A subscriber shall at the time of joining the Fund, send to the Accounts Officer, through the Head of Office, a nomination conferring on one or more persons the right to receive the amount that may stand to his credit in the Fund in the event of his death, before that amount has become payabe or having become payable has not been paid :

Provided that, if, at the time of nomination the subscriber has a family, the nomination shall not be in favour on any person or persons other than the members of his family :

Provided further that the nomination made by the subscriber in respect of any other provident fund to which he was subscribing before joining the Fund shall, if the amount to his credit in such other fund has been transferred to his credit in the Fund, be deemed to be a nomination duly made under this regulation until he makes a nomination in accordance with this regulation.

(2) If a subscriber nominates more than one person under sub-regulation (1), he shall specify in the nomination the amount or share payable to each of the nominees in such manner as to cover the whole of the amount that may stand to his credit in the Fund at any time.

(3) Every nomination shall be made in the Form set forth in the First Schedule.

(4) A subscriber may at any time cancel a nomination by sending a notice in writing to the Accounts Officer. The subscriber shall, along with such notice or separately, send a fresh nomination made in accordance with the provisions of this regulation.

(5) A subscriber may provide in a nomination.—

(a) in respect of any specified nominee, that in the event of his predeceasing the subscriber, the right conferred upon that nominee shall pass to such other person or persons as may be specified in the nomination, provided that such other person or persons shall, if the subscriber has other members of his family, be such other member or members. Where the subscriber confers such a right on more than one person under this clause, he shall specify the amount or share payable to each of such person in such a manner as to cover the whole of the amount payable to the nominee.

(b) that the nomination shall become invalid in the event of the happening of a contingency specified therein :

Provided that if at the time of making the nomination the subscriber has no family he shall provide in the nomination that it shall become invalid in the event of his subsequently acquiring a family :

Provided further that if at the time of making the nomination the subscriber has only one member of the family, he shall provide in the nomination that the right conferred upon the alternate nominee under clause (a) shall become invalid in the event of his subsequently acquiring other member or members in his family.

(6) Immediately on the death of a nominee in respect of whom no special provision has been made in the nomination under clause (a) of sub-regulation (5) or on the occurrence of any event by reason of which the nomination becomes invalid in pursuance of clause (b) of sub-regulation (5) or the proviso thereof, the subscriber shall send to the

Accounts Officer a notice in whiting cancelling the nomination, together with a fresh nomination made in accordance with the provisions of this regulation.

(7) Every nomination made, and every notice of cancellation given by a subscriber shall, to the extent that it is valid, take effect on the date on which it is received by the Accounts Officer.

## SUBSCRIBER'S ACCOUNT

6. Subscriber's Account—An account shall be opened in the name of each subscriber in which shall be shown :—

(i) his subscriptions;

(ii) Contribution made under regulation 11 by Board to his account;

(iii) Interest, as provided by regulation 12 on subscription;

(iv) interest, provided by regulation 12 on contributions:

(v) advances and withdrawals from the Fund.

## CONDITIONS AND RATES OF SUBSCRIPTIONS

7. Conditions of subscriptions—(1) A subscriber shall subscribe monthly to the Fund when on duty or foreign service but not during the period when he is under suspension :

Provided that a subscriber on reinstatement after a period passed under suspension shall be allowed the option of paying in one lump sum, or in instalments, any sum not exceeding the maximum amount of arrear subscriptions payable for that period.

(2) The subscriber may, at his option, not subscribe during leave which either does not carry any leave salary equal to or less than half pay or half average pay.

(3) The subscriber shall intimate his election not to subscribe during the leave referred to in sub-regulation (2) in the following manner :—

(a) if he is an officer who draws his own bills, by making no deduction on account of subscription in his first pay bill drawn after proceeding on leave;

(b) if he is not an officer who draws his own pay bills, by written communication to the Head of his Office before he proceeds on leave.

Failure to make due and timely intimation shall be deemed to constitute an election to subscribe.

The option of a subscriber intimated under this sub-regulation shall be final.

(4) A subscriber who has under regulation-20 withdrawn the amount of subscriptions and interest thereon shall not subscribe to the Fund after such withdrawal unless he returns to duty.

(5) Notwithstanding anything contained in sub-regulation (1) a subscriber shall not subscribe to the Fund for the month in which he quits service unless, before the commencement of the said month, he communicates to the Member Secretary in writing his option to subscribe for the said month.

8. Rates of subscription—(1) The amount of subscription shall be fixed by the subscriber himself, subject to the following conditions, namely :

(a) It shall be expressed in whole rupees;

(b) It may be any sum, so expressed not less than 8.33% of his emoluments and not more than his total emoluments.

(2) For the purpose of sub-regulation (1) the emoluments of a subscriber shall be :—

(a) in the case of a subscriber who was in Board's service on the 31st March of the preceding year, the emoluments to which he was entitled on that date :

Provided that—

(i) if the subscriber was on leave on the said date and elected not to subscribe during such leave or was under suspension on the said date, his emoluments shall be the emoluments to which he was entitled on the first day after his return to duty;

(ii) if the subscriber was on deputation out of India on the said date or was on leave on the said date and continues to be on leave and has elected to subscribe during such leave, his emoluments shall be the emoluments to which he would have been entitled had he been on duty in India;

(iii) if the subscriber joined the Fund for the first time on a day subsequent to the said date, his emoluments shall be the emoluments to which he was entitled on such subsequent date;

(b) in the case of a subscriber who was not in Board's service on the 31st March of the preceding year, the emoluments to which he was entitled on the first day of his services or if he joins the Fund for the first time on a date subsequent to the first day of his service, the emoluments to which he was entitled on such subsequent date :

Provided that, if the emoluments of the subscriber are of a fluctuating nature, they shall be calculated in such manner as the Chairman may direct.

(3) The subscriber shall intimate the fixation of the amount of his monthly subscription in each year in the following manner :—

(a) If he was on duty on the 31st March of the preceding year, by the deduction which he makes in this behalf from his pay bill for that month;

(b) If he was on leave on the 31st March of the preceding year, and elected not to subscribe during such leave or was under shspension on that date, by the deduction which he makes in this behalf from his first pay bill after his return to duty;

(c) If he has entered Board's service for the first time during the year, by the deduction which he makes in this behalf from his pay bill for the month during which he joins the Fund;

(d) If he was on leave on the 31st March of the preceding year, and continues to be on leave and has elected to subscribe during such leave, by the deduction which he causes to be made in this behalf from his salary bill for that month;

(e) If he was on foreign service on the 31st March of the preceding year, by the amount credited by him into the NCR Planning Board's Fund on account of subscription for the month of April in the current year;

(f) If his emoluments are of the nature referred to in the proviso to sub-regulation (2), in such manner as the Chairman may direct.

(4) The amount of subscription so fixed may be :—

(a) reduced once at any time during the course of the year;

(b) enhanced twice during the course of the year; or

(c) reduced and enhanced as aforesaid:

Provided that when the amount of subscription is so reduced it shall not be less than the minimum prescribed in sub-regulation (1) :

Provided further that if a subscriber is on leave without pay or leave on half pay or half average pay for a part of a calendar month and he has elected not to subscribe during such leave, the amount of subscription payable shall be proportionate to the number of days spent on duty including leave, if any, other than those referred to above.

9. Transfer to foreign service or deputation out of India : When a subscriber is transferred to foreign service or sent

on deputation out of India, he shall remain subject to the regulation of the Fund in the same manner as if he were not so transferred or sent on deputation.

REALISATION OF SUBSCRIPTIONS

10. Realisation of subscription :—(1) When emoluments are drawn from the Board's Fund in India or from an authorised office of disbursement outside India, recovery of subscriptions on account of these emoluments and of the principal and interest of advances shall be made from the emoluments themselves.

(2) When emoluments are drawn from any other source, the subscriber shall forward his dues monthly to the Accounts Officer :

Provided that in the case of a subscriber on deputation Central/State Government or a body corporate, owned or controlled by Central/State Government, the subscriptions shall be recovered and forwarded to the Accounts Officer by such Government/body.

CONTRIBUTION BY BOARD

11. Contribution by Board—(1) Board shall, with effect from the 31st March of each year, make a contribution to the account of each subscriber :

Provided that if a subscriber quits the service or dies during a year contribution shall be credited to his account for the period between the close of the preceding year and the date of the casualty :

Provided further that no contribution shall be payable in respect of any period for which the subscriber is permitted under the regulations not to, or does not, subscribe to the Fund,

(2) The contribution shall be such percentage of the subscriber's emoluments drawn on duty during the year or period, as the case may be, as has been or may be prescribed by Central Government by general or special order for its own employees :

Provided that if, through oversight or otherwise, the amount subscribed is less than the minimum subscription payable by the subscriber under the Sub-regulation (1) of regulation 8 and if the short subscription together with the interest accrued thereon is not paid by the subscriber within such time as may be specified by the authority competent to sanction an advance for the grant of which special reasons are required under Sub-regulation (2) of regulation 13 the contribution payable by the Board shall be equal to the amount actually paid by the subscriber or the amount normally payable by the Board, whichever is less, unless the Board in any particular case, otherwise directs.

(3) If a subscriber is on deputation out of India, the emoluments which he would have drawn had he been on duty in India shall, for the purposes of this regulation be deemed to be emoluments drawn on duty.

(4) Should a subscriber elect to subscribe during leave, his leave salary shall, for the purposes of this regulation, be deemed to emoluments drawn on duty.

(5) Should a subscriber elect to pay arrears of subscription in respect of a period of suspension, the emoluments or portion of emoluments which may be allowed for that period on reinstatement, shall, for the purpose of this regulation be deemed to be emoluments drawn on duty.

(6) The amount of any contribution payable in respect of a period of foreign service shall, unless it is recovered from the foreign employer, be recovered by Board from the subscriber.

(7) The amount of contribution payable shall be rounded to the nearest whole rupee (fifty paise counting as the next higher rupee).

INTEREST

12. Interest : (1) The Board shall pay to the credit of the account of a subscriber, interest at such rate as Central Government may from time to time prescribe for its own employees.

(2) Interest shall be credited with effect from the 31st March of each year in the following manner :—

(i) on the amount to the credit of a subscriber on the 31st March of the preceding year, less any sums withdrawn during the current years—interest for twelve months;

(ii) on sums withdrawn during the current year—interest from the 1st April of the current year up to the last day of the month preceding the month of withdrawal;

(iii) on all the sums credited to the subscriber's account after the 31st March of the preceding year—interest from the date of deposit up-to the 31st March of the current year;

(iv) the total amount of interest shall be rounded to the nearest whole rupee in the manner provided in sub-regulation (7) of regulation 11.

Provided that when the amount standing to the credit of a subscriber has become payable, interest shall thereupon be credited under this regulation in respect only of the period from the beginning of the current year or from the date of deposit, as the case may be, up to the date on which the amount standing to the credit of the subscriber becomes payable.

(3) For the purpose of this regulation the date of deposit shall in the case of recoveries from emoluments be deemed to be the first day of the month in which they are recovered, and in the case of amounts forwarded by the subscriber, shall be deemed to be the first day of the month of receipt, if they are received by the Accounts Officer before the fifth day of that month, but if they are received on or after the fifth day of that month, the first day of the next succeeding month :

Provided that where there has been delay in the drawal of pay or leave salary and allowances of a subscriber and consequently the recovery of his subscription towards the Fund, the interest on such subscriptions shall be payable from the month in which the pay or leave salary of the subscriber was due under the regulation, irrespective of the month in which it was actually drawn :

Provided further that in the case of an amount forwarded in accordance with the proviso to sub-regulation (2) of regulation 10, the date of deposit shall be deemed to be the first day of the month if it is received by the Accounts Officer before the fifteenth day of that month :

Provided further that where the emoluments for a month are drawn and disbursed on the last working day of the same month the date of deposit shall, in the case of recovery of his subscriptions, be deemed to be the first day of the succeeding month.

(4) In addition to any amount to be paid under regulation 23 interest thereon up to the end of the month preceding that in which the payment is made, or up to the end of the sixth month after the month in which such amount, become payable whichever of these periods be less, shall be payable to the person to whom such amount is to be paid :

Provided that where the Accounts Officer has intimated to that person (or the agent a date on which he is prepared to make payment in cash, or has posted a cheque in payment to that person, interest shall be payable only up to the end of the month preceding the date so intimated, or the date or posting the cheque, as the case may be :

Provided further that where a subscriber on deputation to Central/State Government or a body corporate, owned or controlled by the Central/State Government or an autonomous organisation registered under the Societies Registration Act, 1860 (21 of 1860) is subsequently absorbed in such Government or body corporate or organisation with effect from a retrospective date, for the purpose of calculating the interest due on the Fund accumulations of the subscriber the date of issue of the orders regarding absorption shall be deemed to be the date on which the amount to the credit of

the subscriber became payable subject, however, to the condition that the amount recovered as subscription during the period commencing from the date of absorption and ending with the date of issue of orders of absorption shall be deemed to be subscription to the Fund only for the purpose of warding interest under this sub-regulation.

NOTE—Payment of interest on the Fund balance beyond a period of 6 months may be authorised by :—

(a) Accounts Officer up to a period of one year; and

(b) the immediate superior to the Accounts Officer up to any period;

after he has personally satisfied himself that the delay in payment was occasioned by circumstances beyond the control of the subscriber or the person to whom such payment was to made, and in every such case the administrative delay involved in the matter shall be fully investigated and action, if any required, taken.

(5) Interest shall not be credited to the account of a subscriber if he informs the Accounts Officer that he does not wish to receiver it; but if he subsequently asks for interest, it shall be credited with effect from the first April of the year in which he asks for it.

(6) The interest on amounts which under regulation 19 or regulation 20 are replaced to the credit of the subscriber in the Fund, shall be calculated at such rates as may be successively prescribed under sub-regulation (1) of this regulation and so far as may be in the manner described in this regulation.

(7) In case a subcriber is found to have drawn from the Fund an amount in excess of the amount standing to his credit on the date of the drawal, the overdrawn amount, irrespective of whether the overdrawal occurred in the course of an advance or a withdrawal or the final payment from the fund, shall be repaid by him with interest thereon in one lump sum, or in default, be ordered to be recovered by deduction in one lump sump, from the emoluments of the subscriber. If the total amount to be recovered is more than half of the subscriber's emoluments, recoveries shall be made in monthly instalments of moieties of his emoluments till the entire amount together with interest, is recovered. For this sub-regulation the rate of interest to be charged on overdrawn amount would be 21/2% over and above the normal rate on Provident Fund balance under sub-regulation (1). The interest realised on the overdrawn amount shall be credited to the Board's account under a distinct sub-hed "Interest on overdrawals from Provident Fund" under the head—other receipts.

## ADVANCES FROM THE FUND

13. Advances from the fund :—(1) The appropriate sanctioning authority may sanction the payment to any subscriber of an advance consisting of a sum of whole rupees and not exceeding in amount three months' pay or half the amount standing to his credit in the Fund, whichever is less, for one or more of the following purposes :—

(a) to pay expenses in connection with the illness, confinement or a disability, including where necessary, the travelling expenses of the subscriber and members of his family or any person actually dependent on him

(b) to meet cost of higher education, including where necessary, the travelling expenses of the subscriber and members of his family or any person actually dependent on him in the following cases, namely :—

(i) for education outside India for academic, technical, professional or vocational course beyond the High School stage; and

(ii) for any medical, engineering or other technical or specialised course in India beyond the High School stage, provided that the course of study is for not less than three years.

(c) to pay obligatory expenses on a scale appropriate to the subscriber's status which by customary usage the subscriber's has to incur in connection with betrothal or marriages, funerals or other ceremonies;

(d) to meet the cost of legal proceedings instituted by or against the subscriber, any member of his family or any person actually dependent upon him, the advance in this case being available in addition to any advance admissible for the same purpose from any other Board's source.

(e) to meet the cost of subscriber's defence where he engages a legal practitioner to defend himself in an enquiry in respect of any alleged official misconduct on his part.

(f) to meet the cost of plot or construction of a house flat for his residence or to make any payment towards the allotment of plot or flat by the Delhi Development Authority or a State Housing Board or a House Building Co-operative Society.

(2) The Chairman may, in special circumstances, sanction the payment to any subscriber of an advance if he is satisfied that the subscriber concerned requires the advance for reasons other than those mentioned in sub-regulation (1).

(3) An advance shall not, except for special reason to be recorded in writing, be granted to any subscriber in excess of the limit laid down in sub-regulation (1) or until repayment of the last instalment of any previous advance :

Provided that an advance shall in no case exceed the amount of subscriptions and interest thereon standing to the credit of the subscriber in the Fund.

(4) When an advance is santioned under sub-regulation (3) before repayment of last instalment of any previous advance is completed the balance of any previous advance not recovered shall be aded to the advance so sanctioned and the instalments for recovery shall be fixed with reference to the consolidated amount.

(5) After sanctioning the advance, the amount shall be drawn on an authorisation from the Accounts Officer in case where the application for Final payment had been forwarded to the Accounts Officer under clause (ii) of sub-regulation (3) of regulation 23.

NOTE 1. For the purpose of this regulation pay includes pay, dearness pay where admissible.

NOTE 2. A subscriber shall be permitted to take an advance once in every six months under item (b) of sub-regulation (1) of regulation 13.

14. Recovery of advances—(1) An advance shall be recovered from the subscriber in such number of equal monthly instalments as the sanctioning authority may direct; but such number shall not be less than twelve unless the subscriber so elects and more than twenty-four. In special cases where the amount of advance exceeds three months' pay of the subscribed under sub-regulation (2) of regulation 13, the sanctioning authority may fix such number of instalment to be more than twenty-four but in no case more than thirty-six. A subscriber may, at his option, may repay in more than one instalment in a month. Each instalment shall be a number of whole rupees, the amount of the advance being raised or reduced, if necessary, to admit of the fixation of such instalments.

(2) Recovery shall be made in the manner prescribed in regulation 10 for the realisation of subscriptions, and shall commence with the issue of pay for the month following the one in which the advance was drawn. Recovery shall not be made, except with the subscriber's consent while he is in receipt of subsistence grant or is on leave for ten days or more in a calendar month which either does not carry any leave salary or carries leave salary equal to or less than half pay or half average pay, as the case may be. The recovery may be postponed, on the subscriber's written request, by the sanctioning authority during recovery of an advance of pay granted to the subscriber.

(3) If an advance has been granted to a subscriber and drawn by him and the advance is subsequently disallowed before repayment is completed the whole or balance of the amount withdrawn shall forthwith be repaid by the subscriber to the Fund, or in default, be ordered by the Accounts Officer to be recovered by deduction from the emoluments of the subscriber in a lump sum or in monthly instalments not exceeding twelve as may be directed by the authority competent to sanction an advance for the grant of which special reasons are required under sub-regulation (2) of regulation 13 :

Provided that, before such advance is disallowed, the subscriber shall be given an opportunity to explain to the sanctioning authority in writing and within fifteen days of the receipt of the communication why the repayment shall not be enforced and if an explanation is submitted by the subscriber within the said period of fifteen days, it shall be referred to the Chairman for decision; and if no explanation within the said period is submitted by him, the repayment of the advance shall be enforced in the manner prescribed in this sub-regulation.

(4) Recoveries made under this regulation shall be credited as they are made to the subscriber's account in the Fund.

14. Wrongful use of advance :—Notwithstanding anything contained in these regulations, if the sanctioning authority has reason to doubt that money drawn as an advance from the Fund under the regulation 13 has been utilised for a purpose other than that for which sanction was given to the drawal of the money, he shall communicate to the subscriber the reasons for his doubt and require him to explain in writing and within fifteen days of the receipt of such communication whether the advance has been utilised for the purpose for which sanction was given to the drawal of the money. If the sanctioning authority is not satisfied with the explanation furnished by the subscriber within the said period of fifteen days, the sanctioning authority shall direct the subscriber to repay the amount in question to the Fund forthwith or, in default, order the amount to be recovered by deduction in one lump sum from the emoluments of the subscriber even if he be on leave. If, however, the total amount to be repaid be more than half the subscriber's emoluments, the recoveries shall be made in monthly instalments of moieties of his emoluments till the entire amount is repaid by him.

NOTE—The term "emoluments" in the regulation does not include subsistence grant.

WITHDRAWALS FROM THE FUND

16. Withdrawal from the Fund :—(1) Subject to the conditions specified therein, withdrawals may be sanctioned by the authorities competent to anction an advance for special reasons under sub-regulation (2) of regulation 13, at any time—

(A) after completion of twenty years of service (including broken periods of service, if any) of a subscriber or within ten years before the date of his retirement on superannuation, whichever is earlier, from the amount standing to his credit in the Fund, for one or more of the following purposes, namely :—

(a) meeting the cost of higher education, including where necessary, the travelling expenses of the subscriber or any child of the subscriber in the following cases, namely :—

(i) for education outside India for academic technical, professional or vocational course beyond the High School stage, and

(ii) for any medical engineering or other technical or specialised course in India beyond the High School stage;

(b) meeting the expenditure in connection with the betrothal/marriage of the subscribed or his sons or his daughters, and any other female relation actually dependent on him;

(c) meeting the expenses in connection with the illness including where necessary, the travelling expenses, of the subscriber and members of his family or any person actually dependent on him :

(B) after the completion of fifteen years of service (including broken periods of service, if any) of a subscriber or within ten years before the date of his retirement on superannuation, whichever is earlier, from the amount standing to his credit in the Fund for one or more of the following purposes, namely :—

(a) building or acquiring a suitable house or ready-built flat for his residence including the cost of the site;

(b) repaying an outstanding amount on account of loan expressly taken for building or acquiring a suitable house or ready-built flat for his residence;

(c) purchasing a house-site for building a house thereon for his residence or repaying any outstanding amount on account of loan expressly taken for this purpose;

(d) reconstructing or making additions or alterations to a house or a flat already owned or acquired by a subscriber;

(e) renovating, additions or alterations or unkeep of an ancestral house at a place other than the place of duty or to a house built with the assistance of loan from the Board at a place other than the place of duty;

(f) constructing a house on a site purchased under clause (c);

(C) within six months before the date of the subscriber's retirement, from the amount standing to his credit in the Fund for the purpose of acquiring a farm land or business premises or both.

(D) Once during the course of a financial year, an amount equivalent to one year's subscribtion paid for by the subscriber towards the Group Insurance Scheme for the Board's employees on self-financing and contributory basis.

NOTE 1. A subscriber who has availed himself of an advance under the Scheme of the Ministry of Urban Development or the Board for the grant of advance for house-building purpose or has been allowed any assistance in this regard from Boards source, shall be eligible for the grant of final withdrawal under sub-clause (a), (c), (d) and (f) of clause (B) for the purposes specified therein and also for the purpose of repayment of any loan taken under the aforesaid Scheme subject to the limit specified in the proviso to sub-regulation (1) of regulation 17.

If a subscriber has an ancestral house or built a house at a place other than the place of his duty with the assistance of loan taken from the Board he shall be eligible for the grant of a final withdrawal under sub-clause (a), (c) and (f) of clause (B) for purchase as a house site for construction of another house or for acquiring a ready-built flat at the place of his duty.

NOTE 2. Withdrawal under sub-clauses (a), (d), (e) or (f) of clause (B) shall be sanctioned only after a subscriber has submitted a plan of the house to be constructed or of the additions or alterations to be made, duly approved by the local municipal body of the area where the site or house is situated and only in cases where the plan is actually got to be approved.

NOTE 3. The amount of withdrawal sanctioned under sub-clause (b) of clause (B) shall not exceed 3/4th of the balance on date of application together with the amount of previous withdrawal under sub-clause (a), reduced by the amount of previous withdrawal. The formula to be followed is : 3/4th of [the balance as on date plus amount of previous withdrawal(s) for the house in question] minus the amount of the previous withdrawal(s).

NOTE 4. Withdrawal under sub-clause (a) or (d) of clause (B) shall also be allowed where the house site or house in the name of wife or husband provided she or he is the

first nominee to receive Provident Fund money in the nomination made by the subscriber.

NOTE 5. Only one withdrawal shall be allowed for the same purpose under this regulation. But marriage or education of different children or illness on different occasions or a further addition or alteration to a house or flat covered by a fresh plan duly approved by the local muncipal body of the area where the house or flat is situated shall not be treated for the same purpose. Second or subsequent withdrawal under sub-clause (a) or (f) of clause (B) for completion of the same house shall be allowed up to the limit laid down under NOTE 3.

NOTE 6. A withdrawal under this regulation shall not be sanctioned if an advance under regulation 13 is being sanctioned for the same purpose and at the same time.

(2) Whenever a subscriber is in a position to satisfy the competent authority about the amount standing to his credit in the Contributory Provident Fund Account with reference to the latest available statement of Contributory Provident Fund Account together with the evidence of subsequent contribution, the competent authority may itself sanction withdrawal within the prescribed limits, as in the case of a refundable advance. In doing so, the competent authority shall take into account any withdrawal or refundable advance already sanctioned by it in favour of the subscriber. Where, however, the subcriber is not in a position to satisfy the competent authority about the amount standing to his credit or where there is any doubt about the admissibility of the withdrawal applied for, a reference may be made to the Accounts Officer by the competent authority for ascertaining the amount standing to the credit of the subscriber with a view to enable the competent authority to determine the admissibility of the amount of withdrawal. The sanction for the withdrawal should prominently indicate the Contributory Provident Fund Account Number and the Accounts Officer maintaining the accounts and a copy of the sanction for withdrawal should invariably be endorsed to that Accounts Officer. The sanctioning authority shall be responsible to ensure that an acknowledgement is obtained from the Accounts Officer that the sanction for withdrawal has been noted in the ledger accounts of the subscriber. In case the Accounts Officer reports that the withdrawal as sanctioned is in excess of the amount of the credit of the subscriber or otherwise inadmissible, the sum withdrawan by the subscriber shall forthwith be repaid in one lump sum by the subscriber to the Fund and in default of such repayment, it shall be ordered by the sanctioning authority to be recovered from his emoluments either in a lump sum or in such number of monthly instalments as may be determined by the Chairman.

(3) After sanctioning the withdrawal the amount shall be drawn on an authorisation from the Accounts Officer in cases where the application for final payment had been forwarded to the Accounts Officer under clause (ii) of sub-regulation (3) of regulation 23.

17. Conditions for withdrawal—(1) Any sum withdrawan by a subscriber at any one time for one or more of the purposes specified in regulation 16 from the amount standing to his credit in the Fund shall not ordinarily exceed one-half of amount of subscription and interest thereon standing to the credit of the subscriber in the fund or six months' pay, whichever is less. The sanctioning authority may, however, sanction the withdrawal of an amount in excess of this limit up to 3/4th of the balance at his credit in the Fund having due regard to (i) the object for which the withdrawal is being made, (ii) the status of the subscriber, and (iii) the amount to his credit in the Fund :

Privided that in no case the maximum amount of withdrawal for purposes specified in clause (B) of sub-regulation (1) of regulation 16 shall exceed the maximum limit prescribed from time to time under Rules 2 (a) and 3 (b) of the Scheme of the Ministry of Urban Development or that of the Board for the grant of advances for house-building purposes :

Provided further that in the case of a subscriber who has availed himself of an advance under the Scheme of the Board or the Ministry of Urban Development for the grant of advances for house-building purposes, or has been allowed any assistance in this regard from any other Board's source, the sum withdrawn under this sub-regulation together with the amount of advance taken under the aforesaid Scheme or the assistance taken from any other Board's source shall not exceed the maximum limit prescribed from time to time under Rules 2 (a) and 3 (b) of the aforesaid Scheme.

NOTE 1. A withdrawal sanctioned to a subscriber under sub-clause (a) of clause (A) of sub-regulation (1) of regulation 16, may be drawn in instalments, the number of which shall not exceed four in a period of twelve calendar months counted from the date of sanction.

NOTE 2. In cases, where a subscriber has to pay in instalments for a site or a house or flat purchased, or a house or flat constructed through the Delhi Development Authority or a State Housing Board or a House Building Co-operative Society, he shall be permitted to make a withdrawal as and when he is called upon to make a payment in any instalment. Every such payment shall be treated as a payment for a separate purpose for the purposes of sub-regulation (1) of regulation 17.

(2) A subscriber who has been permitted to withdraw money from the Fund under regulation 16 shall satisfy the sanctioning authority within a reasonable period as may be specified by that authority that the money has been utilised for the purpose for which it was withdrawn, and if he fails to do so, the whole of the sum so withdrawn or so much thereof as has not been applied for the purpose for which it was withdrawn shall forthwith be repaid in one lump sum by the subscriber to the Fund and in default of such payment, it shall be ordered by the sanctioning authority to be recovered from his emoluments either in a lump sum or in such number of monthly instalments, as may be determined by the Chairman.

Provided that, before repayment of a withdrawal is enforced under this sub-regulation the subscriber shall be given an opportunity to explain in writing and within fifteen days of the receipt of the communication why the repayment shall not be enforced; and if the sanctioning authority is not satisfied with the explanation or no explanation is submitted by the subscriber within the said period of fifteen days, the sanctioning authority shall enforce the repayment in the manner prescribed in this sub-regulation.

(3) (a) A subscriber who has been permitted under sub-clause (a), sub-clause (b) or sub-clause (c) of clause (B) of sub-regulation (1) of regulation 16 to withdraw money from the amount standing to his credit in the Fund, shall not part with the possession of the house built or acquired or house-site purchased with the money so withdrawn, whether by way of sale, mortgage (other than mortgage to the Board), gift, exchange or otherwise, without the previous permission of the Chairman.

Provided that such permission shall not be necessary for :

(i) the house or house-site being leased for any term not exceeding three years, or

(ii) its being mortgaged in favour of a Housing Board, Nationalised Banks, the Life Insurance Corporation or any other Corporation owned or controlled by the Central Government which advances loans for the construction of a new house or for making additions or alteration to an existing house.

(b) The subscriber shall submit a declaration not later than the 31st day of December of every year as to whether the house or the house-site, as the case may be, continues to be in his possession or has been mortgaged, otherwise transferred or let out as aforesaid and shall, if so required, produce before the sanctioning authority on or before the date specified by that authority in that behalf, the original sale, mortgage or lease deed and also the documents on which his title to the property is based.

(c) If, at any time before his retirement, the subscriber parts with the possession of the house or house-site without obtaining the previous permission of

the Chairman, he shall forthwith repay the sum so withdrawn by him in a lump sum to the Fund, and in default of such repayment, the sanctioning authority shall, after giving the subscriber a reasonable opportunity of making a representation in the matter, cause the said sum to be recovered from the emoluments of the subscriber either in a lump sum or in such number of monthly instalments, as may be determined by it.

NOTE—A subscriber who has taken loan from Board in lieu thereof mortgaged the house or house-site to the Board shall be reuired to furnish the declaration to the following effect namely :—

"I do hereby certify that the house or house-site for the construction of which or for the accuisition of which I have taken a final withdrawal from the Provident Fund continues to be in my possesion but stands mortgaged to Board."

18. Conversion of an advance into a withdrawal—A subscriber who has already drawn or may draw in future an advance under regulation 13 for any of the purposes specified in sub-regulation (1) of regulation 16 may convert at his discretion by written request addressed to the Accounts Officer, through the sanctioning authority, the balance outstanding against it into a final withdrawal on his satisfying the conditions laid down in Rules 16 and 17.

NOTE—For the purposes of sub-regulation (1) of regulation 17, the amount or subscription with interest thereon standing to the credit of the subscriber in the account at the time of conversion plus the outstanding amount of advance shall be taken as the balance. Each withdrawal shall be treated as a separate one and the same principle shall apply in the event of more than one conversion.

## FINAL WITHDRAWAL OF ACCUMULATIONS IN THE FUND

19 Final withdrawal of accumulations in the Fund :—

When a subscriber quits the service, the amount standing to his credit in the Fund shall become payable to him :

Provided, that a subscriber, who has been dismissed from the service and is subsequently reinstead in the service shall, if required to do so by the Board, repay any amount paid to him from the Fund in pursuance of this regulation, with interest thereon at the rate provided in regulation 12 in the manner provided in the proviso to regulation 20. The amount so repaid shall be credited to his account in the Fund, the part which represents the Board's contributions with the interest thereon being accounted for in the manner provided in regulation 6.

Explanation I : A subscriber, who is granted refused leave shall be deemed to have quit the service from the date of compulsory retirement or on the expiry of an extension of service.

Explanation II : A subscriber other than one who is appointed on contract or one who has retired from service and is subsequently re-employed with or without a break in service shall not be deemed to quit the service.

The same shall hold good in cases of retrenchments followed by immediate employment.

Explanation III : When a subscriber other than one who is appointed on contract or one who has retired from service and is subsequently re-employed is transferred, without any break, to the service under Central/State Government or a body corporate owned or controlled by Central/State Government, or an autonomous organisation, registered under the Societies Registration Act 1860, the amount of subscriptions together with interest thereon, shall not be paid to him but shall be transferred with the consent of that Government/body, to his new Provident Fund account under that Government/Body.

Transfers shall include cases of resignation from service in order to take up appointment under Central/State Government or a body corporate owned or controlled by Central/State Government or an autonomous organisation, registered under the Societies Registration Act, 1860, without any break and with proper permission of the Board. The time taken to join the new post shall not be treated as a break in service if it does not exceed the joining time admissible to a Board servant on transfer from one post to another :

Provided that the amount of subscription together with interest thereon, of a subscriber onting for service under a Public Enterprise may, if he so desires, be transferred to his new Provident Fund Account under the Enterprise if the concerned Enterprise also agrees to such a transfer. If, however, the subscriber does not desire the transfer or the concerned Enterprise does not operate a Provident Fund, the amount aforesaid shall be refunded to the subscriber.

20. Retirement of Subscriber :—When a subscriber,—

(a) has proceeded on leave preparatory to retirement ,

(b) while on leave, has been permitted to retire or been declared by a competent medical authority to be unfit for further service,

the amount of subscription and interest thereon standing to his credit in the Fund shall, upon application made by him in that behalf to the Accounts Officer, become payable to the subscriber : .

Provided that the subscriber, if he returns to duty, shall except where the Board decides otherwise, repay to the Fund for credit to his account, the amount paid to him from the Fund in pursuance of this rule with interest thereon at the rate provided in regulation 12 in cash or securities or partly in cash and partly in securities, by instalments or otherwise, by recovery from his emoluments or otherwise, as may be directed by the authority competent to sanction an advance for the grant of which, special reasons are required under sub-regulation (2) of regulation 13.

21. Procedure on death of a subscriber—Subject to any deduction under regulation 22 on the death of a subscriber before the amount standing to his credit has become payable, or where the amount has become payable, before payment has been made :

(i) when the subscriber leaves a family :—

(a) if a nomination made by the subscriber in accordance with the provisions of regulation 5 in favour of a member or members of his family subsists, the amount standing to his credit in the Fund or the part thereof to which the nomination relates shall become payable to his nominee or nominees in the proportion specified in the nomination;

(b) if no such nomination in favour of a member or members of the family of the subscriber subsists or if such nomination relates only to a part of the amount standing to his credit in the Fund, the whole amount or the part thereof to which the nomination does not relate, as the case may be, shall notwithstanding any nomination purporting to be in favour of any person or persons other than a member or members of his family become payable to the members of his family in equal shares :

Provided that no share shall be payable to -

(1) sons who have attained majority;

(2) sons of a deceased son who have attained majority;

(3) married daughters whose husbands are alive;

(4) married daughters of a deceased son whose husbands are alive;

If there is any member of the family other than those specified in clauses (1), (2), (3) and (4) :

Provided also that the widow or widows and the child or children of a deceased son shall receive between them in equal parts only the share which that son would have received if he had survived the subscriber and had been exempted from the provisions of clause (1) of the first proviso.

NOTE—Any sum payable under these regulations to a member of the family of a subscriber vests in such member under sub-section (2) of Section 3 of the Provident Funds Act, 1925.

(ii) when the subscriber leaves no family, if a nomination made by him in accordance with the provisions of regulation 5 in favour of any person or persons subsists, the amount standing to his credit in the Fund or the part thereof to which the nomination relates, shall become payable to his nominee or nominees in the proportion specified in the nomination.

NOTE 1. When a nominee is a dependant of the subscriber in clause (c) of Section 2 of the Provident Funds Act, 1925, the amount vests in such nominee under sub-section (2) of Section 3 of that Act.

NOTE 2. When the subscriber leaves no family and no nomination made by him in accordance with the provisions of regulation 5 subsists, or if such nomination relates only to part of the amount standing to his credit in the Fund, the relevant provisions of clause (b) and sub-clause (ii) of clause (c) of sub-section (1) of Section 4 of the Provident Fund Act, 1925, are applicable to the whole amount or the part thereof to which the nomination does not relate.

21-A. Deposit-linked Insurance Scheme :—On the death of the subscriber, on or before 30th September, 1991 and to whom regulation 19-B does not apply the person entitled to receive the amount standing to the credit of the subscriber shall be paid by the Accounts Officer an additional amount equal to the average balance in the account during the three years immediately preceding the death of such subscriber subject to the condition that -

(a) the balance at the credit of such subscriber shall not at any time during the three years preceding the month of death have fallen below the limits of :

(i) Rs. 4,000 in the case of a subscriber who held, for the greater part of the aforesaid period of three years, a post the maximum of the pay scale of which is Rs. 1300 or more;

(ii) Rs. 2500/- in the case of a subscriber who has held, for the greater part of the aforesaid period of three years, a post the maximum of the pay scale of which Rs. 900/- or more but less than Rs. 1300/-.

(iii) Rs. 1500/- in the case of a subscriber who has held, for the greater part of the aforesaid period of three years, a post the maximum of the pay scale of which is Rs. 291/- or more but less than Rs. 900/-.

(iv) Rs. 1000/- in the case of subscriber who has held, for the greater part of the aforesaid period of three years, a post the maximum of the pay scale of which is less than Rs. 291/-.

(b) The additional amount payable under this regulation shall not exceed the ceiling of Rs. 10,000/-.

(c) the subscriber has put in at least five years service at the time of his death.

21-B. Deposit-linked Insurance Revised Scheme—On the death of the subscriber, the person entitled to receive the amount standing to the credit of the subscriber shall be paid by the Accounts Officer an additional amount equal to the average balance in the account during the three years immediately preceding the death of such subscriber, subject to the condition that :—

(a) the balance at the credit of such subscriber shall not at any time during the three years preceding the month of death have fallen below the limits of -

(i) Rs. 12,000/- in the case of a subscriber who has held for the greater part of the aforesaid period of three years, a post the maximum of the pay scale of which is Rs. 4000/- or more.

(ii) Rs. 7500/- in the case of a subscriber who has held for the greater part of the aforesaid period of three years, a post the maximum of the pay scale of which is Rs. 2900/- or more but less than Rs. 4000/-.

(iii) Rs. 4500/- in the case of a subscriber who has held for the greater part of the aforesaid period of three years, a post the maximum of the pay scale of which is Rs. 1151/- or more but less than Rs. 2900/-.

(iv) Rs. 3000/- in the case of a subscriber who has held for the greater part of the aforesaid period of three years, a post the maximum of the pay scale of which is less than Rs. 1151/-.

(b) The additional amount payable under this regulation shall not exceed Rs. 30,000/-.

(c) The subscriber has put in at least five years service at the time of his/her death.

Note 1. The average balance shall be worked out on the basis of the balance at the credit of the subscriber at the end of each of the 36 months, preceding the month in which the death occurs. For this purpose, as also for checking the minimum balance prescribed above-

(a) The balance at the end of March, shall include the annual interest credited in terms of regulation 11, and,

(b) If the last of the aforesaid 36 months is not March, the balance at the end of said last month shall include interest in respect of the period from the beginning of the financial year in which death occurs to the end of the said last month.

Note:—2. Payment under this scheme should be in whole rupee. If an amount due includes a fraction of a rupee it should be rounded to the nearest rupee (50 paise counting as the next higher rupee).

Note:-3. Any sum payable under this scheme is in the nature of insurance money and therefore, the statutory protection given by Section 3 of the Provident Funds Act, 1925 (Act 19 of 1925) does not apply to sums payable under this scheme.

Note:-4. The scheme also applies to those subscribers to the funds who are transferred to an autonomous organisation consequent upon conversion of a Government Department into such a body and who, on such transfer, opt in terms of option given to them to subscribe to the Fund in accordance with these regulations.

Note:-5 (a) In case of a Board employee who has been admitted to the benefits of the Funds under regulation 4 but dies before completion of three years of service or as the case may be, five years of service from the date of his admission to the Fund, the period of his service under the previous employer in respect whereof the amount of his subscription and the employer's contribution, if any, together with interest have been received shall count for purpose of clause (a) and clause (c).

Note 5 :—(a) In case of a Board employee who has been admitted to the benefits of the Funds under regulation 4 but dies before completion of three years of service or as the case may be, five years of service from the date of his admission to the Fund, the period of his service under the previous employer in respect whereof the amount of his subscription and the employer's contribution, if any, together with interest have been received shall count for purpose of clause (a) and clause (c).

(b) In case of persons appointed on tenure basis and in the case of re-employed pensioners, service rendered from the date of such appointment or re-employment, as the case may be, only will count for purposes of this regulation.

(c) The scheme does not apply to persons appointed on contract basis.

Note 6 :—The budget estimates of expenditure in respect of this scheme will be prepared by the Accounts Officer responsible for maintenance of the account of the Fund having regard to the trend of expenditure, in the same manner as estimates are prepared for other retirement benefits.

EDUCATIONS

22. Deduction :—Subject to the condition that no deduction may be made which reduces the credit by more than the amount of any contribution by Board with interest thereon credited under regulation 11 and 12, before the amount standing to the credit of the subscriber in the Fund is paid out of the Fund,

(A) The Chairman may direct the deduction therefrom and payment to the Board of-

(i) all amounting representing such contribution and interest, if the subscriber is dismissed from service due to misconduct, insolvency or inefficiency :

Provided that where the Chairman is satisfied that such deduction would cause exceptional hardship to the subscriber, he may, by order, exempt from such deduction an amount not exceeding two-thirds of the amount of such contribution and interest which would have been payable to the subscriber, if he had retired on medical grounds :

Provided further that if any such order of dismissal is subsequently cancelled, the amount so deducted shall on his reinstatement in the service be replaced to his credit in the Fund.

(ii) all amounts representing such contribution and interest, if the subscriber within five years of the commencement of his service as such, resigns from the service or ceases to be an employee under Board otherwise than by reason of death, superannuation, or a declaration by a competent medical authority that he is unfit for further service, or the abolition of the post or the reduction of establishment.

(B) the Chairman may direct the deduction therefrom and payment to the Board of any amount due under a liability incurred by a subscriber to Board.

NOTE 1. For the purpose of sub-clause (ii) of clause (A) of this regulation-

(a) the period of five years shall be reckoned from the commencement of the subscriber's continuous service under Board;

(b) resignation from service in order to take up appointment in another Department of the Central Government or under the State Government or under a body corporate owned or controlled by Government or an autonomous organisation, registered under the Societies Registration Act, 1860 (21 of 1860) without any break and with proper permission of the Board, shall not be treated as resignation from Board's service.

NOTE 2 : The powers of the Chairman under this regulation may, in respect of the amounts referred to therein, also be exercised by the authority competent to sanction an advance for the grant of which special reasons are required under sub-regulation (2) of regulation 13.

PAYMENT

23. Manner of payment of amount in the Fund.—(1) When the amount standing to the credit of a subscriber in the Fund or the balance thereof after any deduction under regulation 22 becomes payable, it shall be the duty of the Accounts Officer after satisfying himself when no such deduction has been directed under that regulation, that no deduction is to be made, to make payment on receipt of a written application in this behalf as provided in sub-regulation (3).

(2) If the person to whom, under these regulations, any amount is to be paid, is a lunatic for whose estate a Manager has been appointed in this behalf under the Indian Lunacy Act, 1912, the payment shall be made to such Manager and not to the Lunatic :

Provided that where no Manager has been appointed and the person to whom the sum is payable is certified by a Magistrate to be a lunatic, the payment shall under the orders of the Collector be made in terms of sub-section (1) of section 95 of the Indian Lunacy Act, 1912 to the person having charge of such lunatic and Accounts Officer shall pay only the amount which he thinks fit to the person having charges of the lunatic and the surplus, if any, or such part thereof, as he thinks fit, shall be paid for the maintenance of such members of the lunatic's family as are dependent on him for maintenance.

(3) Payments of the amount withdrawn shall be made in India only. The persons to whom the amounts are payable shall make their own arrangements to receive payment in India. The following procedure shall be adopted for claiming payment by a subscriber, namely :—

(i) To enable a subscriber to submit an application for withdrawal of the amount in the Fund, the Head of Office shall send to every subscriber necessary forms either one year in advance of the date on which the subscriber attains the age of superannuation, or before the date of his anticipated retirement, if earlier, with instructions that they should be returned to him duly completed within a period of one month from the date of receipt of the forms by the subscriber. The subscriber shall submit the application to the Accounts Officer through the Head of Office or for payment of the amount in the Fund. The application shall be made :—

(A) for the amount standing to his credit in the Fund as indicated in the Accounts Statement for the year ending one year prior to the date of his superannuation, or his anticipated date of retirement, or

(B) for the amount indicated in his ledger account in case the Account Statement has not been received by the subscriber.

(ii) The Head of Office shall forward the application to the Accounts Officer indicating the recoveries effected against the advances which are still current and the number of instalments yet to be recovered and also indicate the withdrawals, if any, taken by the subscriber after the period covered by the last statement of the subscriber's account sent by the Accounts Officer.

(iii) The Accounts Officer shall, after verification with the ledger account, issue an authority for the amount

indicated in the application at least a month before the date of superannuation but payable on the date of superannuation.

(iv) The authority mentioned in clause (iii) will constitute the first instalment of payment. A second authority for payment will be issued as soon as possible after superannuation. This will relate to the contribution made by the subscriber subsequent to the amount mentioned in the application submitted under clause (i) plus the refund of instalments against advances which were current at the time of the first application.

(v) After forwarding the application for the final payment to the Accounts Officer, advance/withdrawal may be sanctioned but the amount of advance/withdrawal shall be drawn on an authorisation from the Accounts Officer concerned who shall arrange this as soon as the formal sanction of sanctioning authority is received by him.

## PENSIONABLE SERVICE

24. Procedure on transfer to pensionable service :-(1) if a subscriber is permanently transferred to a pensionable service under the Board, he shall at his option, be entitled

(a) to continue to subscribe to the Fund, in which case he shall not be entitled to any pension; or

(b) to earn pension in respect of such pensionable service, in which case, with effect from the date of his permanent transfer :—

(i) he shall cease to subscribe to the Fund.

(ii) the amount of contributions by Board with interest thereon standing to his credit in the Fund shall be repaid to Board.

(iii) the amount of subscriptions together with interest thereon standing to his credit in the Fund shall be transferred to his credit in the General Provident Fund, to which thereafter he shall subscribe in accordance with the rules of that Fund; and

(iv) he shall thereupon be entitled to count towards pension service, rendered prior to the date of permanent transfer, to the extent permissible under the relevant Pension Rules.

(2) A subscriber shall communicate his option under sub-regulation (1) by a letter to the Accounts Officer within three months of the date of the order transferring him permanently to pensionable service; and if no communicaion is received in the Office of the Accounts Officer within that period, the subscriber shall be deemed to have exercised his option in the manner referred to in clause (b) of that sub-regulations.

## PROCEDURE REGULATIONS

25. Number of account to be quoted at the time of the payment of subscription - When paying a subscription in India, either by deduction from emoluments or in cash, a subscriber shall quote the number of his account in the Fund, communicated to him by the Accounts Officer. Any change in the number shall similarly be communicated to the subscriber by the Accounts Officer.

26. Annual statement of accounts to be supplied to subscriber .—(1) As soon as possible after the close of 31st March of each year, the Accounts Officer shall send to each subscriber a statement of his account in the Fund showing the opening balance as on the Ist April of the year, the total amount credited or debited during the year, the total amount of interest, credited as on the 31st March of the year and the closing balance on that date. The Accounts Officer shall attach to the statement of account an enquiry whether the subscriber—

(a) desires to make any alteration in any nomination made under regulation 5 or under the corresponding rule heretofore in force;

(b) has acquired a family in cases where the subscriber has made no nomination in favour of a member of his family under the proviso to sub-regulation (1) of regulation 5.

(2) Subscribers should satisfy themselves as to the correctness of the annual statement and errors should be brought to the notice of the Accounts Officer within three months from the date of the receipt of the statement.

(3) The Accounts Officer shall, if required by a subscriber once, but not more than once, in a year inform the subscriber of the total amount standing to his credit in the Fund at the end of the last month for which his account has been written up.

## GENERAL

27. Relaxation of the provisions of the regulation in individual cases :—When the Chairman is satisfied that the operation in any of these regulations causes or is likely to cause undue hardship to a subscriber, he may, notwithstanding anything contained in these regulations, deal with the case of such subscriber in such manner as may appear to him to be just and equitable.

28. Interpretation.—If any question arises relating to the interpretation of these regulations it shall be referred to the board whose decision thereon shall be final.

29. Administration of Funds.—The Fund shall be administerred by Member Secretary.

30. Investment of Funds.—The fund shall be invested on the pattern and in the securities approved by the Government of India from time to time.

31. All decisions & orders issued by the Central Government in amplifications/clarifications of their Contributory Provident Fund (Central Services) Rules 1960 in relation to its own employees would apply mutatis-mutandis to the employees of this Board. Similarly amendments/modifications/additions to the General Provident Fund (Central Services) Rules, 1960 made from time to time by the Central Government for its own employees would apply mutatis-mutandis to the employees of the Board.

32. Any amendment/change to these regulations shall be carried out in consultation with the Ministry of Finance/Deptt. of Pension and Pensioners' Welfare.

IndiaCode

**SCHEDULE [(regulation 5 (3)]**

**FORM OF NOMINATION**

I,.....hereby nominate the person(s) mentioned below who is/are member(s)/ non-member(s) of my family as defined in regulation 2 of the National Capital Region Planning Board Contributory Provident Fund Regulation, 1990 to receive the amount that may stand to my credit in the Fund as indicated below in the event of my death before that amount has become payable or having become payable has not been paid.

| Name and full address of the nominee (s). | Relationship with the Subscriber. | Age of the Nominee. | Share payable to each nominee. | Contingencies on the happening of which the nomination will become invalid. | Name, address and relationship of the person(s) if any, to whom the right of nominee shall pass in the event of his/her predeceasing the subscriber. | If the nominee is not a member of the family as provided in regulation 2 indicate the reasons |
|---|---|---|---|---|---|---|
| | | | | | | |

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Dated this.....day of 19.....at.....

Signature of the subscriber.....

Name in block letters.....

Designation .....

Two witnesses to signature

Name and address

Signature :

1.

2.

Space for use by the Head of Office/Finance & Accounts Officer

Nomination by Shri/Smt./Kumari

Desgination

Date of receipt of nomination

Signature of Head of Office/Finance & Accounts Officer

Designation

Date

Instructions for subscriber :

(a) Your name may be filled in.

(b) Name of the fund may be completed suitably.

(c) Definition of term family as given in the National Capital Region Planning Board Contributory Provident Fund Regulation, 1990 is reproduced below :

family means:

(i) In the case of male subscriber, the wife or wives, parents, children, minor brothers, unmarried sisters, deceased son's widow and children and where no parents of the subscriber is alive, a parental grand-parents.

Provided that—

If a subscriber proves that his wife, has been judicially separated from him or has ceased under the customary law of the community to which she belongs to be entitled to maintenance she shall henceforth be deemed to be no longer a member of the subscriber's family in matters to which these rules relate unless the subscriber subsequently intimates in writing to the Accounts Officer that she shall continue to be so regarded.

(ii) in the case of a female subscriber, the husband, parents, children, minor brothers, unmarried sisters, deceased son's widow and children, and where no parents of the subscriber is alive, a parental grand-parents.

provided that—

if a subscriber by notice in writing to the Accounts Officer expresses her desire to exclude her husband from her family, the husband shall henceforth be deemed to be no longer a member of the subscriber's family in matters to which these rules relate unless the subscriber subsequently cancels such notice in writing.

Note : Child means legitimate child and includes an adopted one, where adoption is recognised by the personal law governing the subscriber.

(d) Col. 4 If only one person is nominated the words "in full" should be written against the nominee. If more than one person is nominated, the share payable to each nominee over the whole amount of the Provident Fund shall be specified.

(e) Col. 5 Death of nominee(s) should not be mentioned as contingency in this column.

(f) Col. 6 Do not mention your name.

(g) Draw line across the blank space below last entry to prevent insertion of any name after you have signed.

No. C-11031/1/88-NCRPB.— In exercise of the powers conferred by section 37 of the National Capital Region Planning Board Act, 1985 (2 of 1985), the Board with the previous approval of the Central Government, hereby makes the following Regulations, namely :—

1. Short title and Commencement :—

(1) These regulations may be called the National Capital Region Planning Board General Provident Fund Regulations, 1990.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions : In these regulations unless the context otherwise requires :—

(i) "Act" means the National Capital Region Planning Board Act, 1985 (2 of 1985);

(ii) "Accounts Officer" means the officer to whom the duty to maintain the Provident Fund account of the subscriber has been assigned by the Board;

(iii) "Board" means the National Capital Region Planning Board constituted under sub-section (1) of Section 3 of the Act;

(iv) "Chairman" means the Chairman of the Board;

(v) "emoluments" means pay, leave salary or subsistence grant as defined in the regulations and includes :—

(a) dearness pay appropriate to pay, leave salary or subsistence grant, if admissible;

(b) any wages paid by Board to employees not remunerated by fixed monthly pay; and

(c) any remuneration of the nature of pay received in respect of foreign service.

(vi) "family" means :

(a) in the case of a male subscriber, the wife parents, children, minor brothers, unmarried sisters, deceased son's widow and children, and where no parents of the subscriber is alive, paternal grand parents :

Provided that—

if a subscriber proves that his wife has been judicially separated from him or has ceased under customary law of the community to which she belongs, to be entitled to maintenance she shall henceforth be deemed to be no longer a member of the subscriber's family in matters to which these regulations relate unless the subscriber subsequently intimate in writing to the Accounts Officer that she shall continue to be so regarded.

(b) In the case of a female subscriber, the husband, parents, children, minor brothers, unmarried sisters, deceased son's widow and children, and where no parents of the subscriber is alive, a paternal grand-parents :

Provided that—

if a subscriber by notice in writing to the Accounts Officers expresses her desire to exclude her husband from her family, the husband shall henceforth be deemed to be no longer to member of the subscriber's family in the matters to which these rules relate, unless the subscriber subsequently cancels such notice in writing.

(vii) "Fund" means "The General Provident (NCRPB) Fund; p.a.

(viii) "leave" means any kind of leave recognised by the regulations;

(ix) "Member Secretary" means Member Secretary of the Board;

(x) "regultions" means National Capital Region Planning Board Regulations, 1986;

(xi) "year" means a financial year;

(xii) Any other expression or word used in these regulations which is defined either in the Provident Funds Act, 1925 (19 of 1925) or in the National Capital Region Planning Board Act, 1985 and the National Capital Region Planning Board Regulations, 1986 is used in the sense therein defined.

3. Constitution of the Fund :

(1) The fund shall be maintained in rupees.

(2) All sums paid into the Fund under these regulations shall be credited in the books of the Board to an account named "The General Provident (NCRPB) Fund Account". Sums of which payment has not

been taken within six months after they become payable under these regulations shall be transferred to "Deposits" after 31st March of the year and treated under the ordinary rules relating to "Deposits".

4. Conditions of eligibility : (1) All temporary Board employees after a continuous service of one year, all re-employees pensioners [other than those eligible for admission to the Contributory Provident (NCRPB) Fund] and all permanent Board employees shall subscribe to the Fund :

Provided that no such employees as has been required or permitted to subscribe to a Contributory Provident Fund shall be eligible to join or continue as a subscriber to the Fund, while he retains his right to subscribe to such a Fund.

## NOMINATIONS

5. Nominations—(1) A subscriber shall at the time of joining the Fund, send to the Accounts Officer through the Head of Office a nomination conferring on one or more persons the right to receive the amount that may stand to his credit in the Fund in the event of his death, before that amount has become payable or having become payable has not been paid.

Provided that where a subscriber is a minor, he shall be required to make the nomination only on his attaining the age of majority.

Provided further that a subscriber who has a family at the time of making the nomination shall make such nomination only in favour of a member or mebers of his family.

Provided further that the nomination made by the subscriber in respect of any other provident fund to which he was subscribing before joining the Fund shall, if the amount to his credit in such other fund has been transferred to his credit in the Fund, be deemed to be a nomination duly made under this regulation until he makes a nomination in accordance with this regulation.

(2) If a subscriber nominates more than one persons under sub-regulation (1). he shall specify in the nomination the amount or share payable to each of the nominees in such manner as to cover the whole of the amount that may stand to his credit in the Fund at any time.

(3) Every nomination shall be made in the Form set forth in the First Schedule.

(4) A subscriber may at any time cancel a nomination by sending a notice in writing to the Accounts Officer. The subscriber shall. along with such notice or separately, send a fresh nomination made in accordance with the provisions of this regulation.

(5) A subscriber may provide in a nomination—

(a) in respect of any specified nominee, that in the event of his predeceasing the subscriber, the right conferred upon that nominee shall pass to such other person or persons as may be specified in the nomination, provided that such other person or persons shall. if the subscriber has other members of his family. be such other member or members. Where the sunbscriber confers such a right on more than one person under this clause. he shall specifv the amount or share payable to each of such persons in such a manner as to cover the whole of the amount payable to the nominee.

(b) that the nomination shall become invalid in the event of the happening of a contingency specified therein.

Provided that if at the time of making the nomination the subscriber has no family. he shall provide in the nomination that it shall become invalid in the event of his subsequently acquiring a family.

Provided further that if at the time of making the nomination the subscriber has only one member of the family, he shall provide in the nomination that the right conferred upon the alternate nominee under clause (a) shall become invalid in the event of his subsequently acquiring other member or members in his family.

(6) Immediately on the death of a nominee in respect of whom no special provision has been made in the nomination under clause (a) of sub-regulation (5) or on the occurrence of any event by reason of which the nomination becomes invalid in pursuance of clause (b) of Sub-regulation (5) or the proviso thereto, the subscriber shall send to the Accounts Officer a notice in writing cancelling the nomination, together with a fresh nomination made in accordance with the provisions of this regulation.

(7) Every nomination made, and every notice of cancellation given by a subscriber shall, to the extent that it is valid, take effect on the date on which it is received by the Accounts Officer.

## SUBSCRIBER'S ACCOUNT

6. Subscriber's Account—An account shall be opened in the name of each subscriber in which shall be shown :—

(i) his subscriptions;

(ii) interest, as provided by Regulation 11, on subscriptions;

(iii) advances and withdrawals from the Fund.

## CONDITIONS AND RATES OF SUBSCRIPTIONS

7. Conditions of subscriptions.—(1) A subscriber shall subscribe monthly to the Fund except during the period when he is under suspension.

Provided that a subscriber may, at his option. not subscribe during leave which either does not carry any leave salary or carries leave salary equal to or less than half pay or half average pay.

Provided further that a subscriber on reinstatement after a period passed under suspension shall be allowed the option of paying in one lump sum, or in instalments, any sum not exceeding the maximum amount of arrear subscription payable for the period.

(2) The subscriber shall intimate his election not to subscribe during the leave referred to in the first proviso to sub-regulation (1) in the following manner :—

(a) if he is an officer who draws his own bills, by making no deduction on account of subscription in his first pay bill drawn after proceeding on leave;

(b) if he is not an officer who draws his own pay bills, by written communication to the Head of his Office before he proceeds on leave.

Failure to make due and timely intimation shall be deemed to constitute an election to subscribe.

The option of a subscriber intimated under this sub-regulation shall be final.

(3) A subscriber who has under Regulation-18 withdrawn the amount standing to his credit in the Fund shall not subscribe to the Fund after such withdrawal unless he returns to duty.

8. Rates of subscription.—(1) The amount of subscription shall be fixed by the subscriber himself. subject to the following conditions. namely :

(a) It shall be expressed in whole rupees;

(b) It may be any sum, so expressed not less than 6% of his emoluments and not more than his total emoluments.

Provided that in the case of a subscriber who has previously been subscribing to a Board's Contributory Provident Fund at the higher rates of 81/3 per cent, it may be any sum. so expressed.no t less than 81/3 per cent. of his emoluments and not more than his total emoluments :

(c) When a Boards servant elects to subscribe at the minimum rate of 6% of 81/3 per cent as the case may be, the fraction of a rupee will be rounded to the nearest whole rupee. 50 p. counting as the next higher rupee.

(2) For the purpose of sub-regulation (1) the emoluments of a subscriber shall be :—

(a) in the case of a subscriber who was in Boards service on the 31st March of the preceding year, the emoluments to which he was entitled on that date :

Provided that—

(i) if the subscriber was on leave on the said date and elected not to subscribe during such leave or was under suspension on the said date, his emoluments shall be the emoluments to which he was entitled on the first day after his return to duty;

(ii) if the subscriber was on deputation out of India on the said date or was on leave on the said date and continues to be on leave and has elected to subscribe during such leave, his emoluments shall be the emoluments to which he would have been entitled had he been on duty in India:

(b) in the case of a subscriber who was not in Board's service on the 31st March of the preceding year, the emoluments to which he was entitled on the day he joins the fund.

(3) The subscriber shall intimate the fixation of the amount of his monthly subscription in each year in the following manner :—

(a) If he was on duty on the 31st March of the preceding year, by the deduction which he makes in this behalf from his pay bill for that month:

(b) If he was on leave on the 31st March of the preceding year, and elected not to subscribe during such leave or was under suspension on that date, by the deduction which he makes in this behalf from his first pay bill after his return to duty;

(c) If he has entered Board's service for the first time during the year, by the deduction which he makes in this behalf from his pay bill for the month during which he joins the Fund;

(d) If he was on leave on the 31st March of the preceding year, and continues to be on leave and has elected to subscribe during such leave, by the deduction which he causes to be made in this behalf from his salary bill for that month:

(e) If he was on foreign service on the 31st March of the preceding year, by the amount credited by him into the NCR Planning Board's Fund on account of subscription for the month of April in the current year;

(4) The amount of subscription so fixed may be—

(a) reduced once at any time during the course of the year;

(b) enhanced twice during the course of the year; or

(c) reduced and enhanced as aforesaid :

Provided that when the amount of subscription is so reduced it shall not be less than the minimum prescribed in sub-regulation (1) :

Provided further that if a subscriber is on leave without pay leave on half pay or half average pay for a part of a calendar month and he has elected not to subscribe during such leave, the amount of subscription payable shall be proportionate to the number of days spent on duty including leave, if any, other than those referred to above.

9. *Transfer to foreign service or deputation out of India.*—When a subscriber is transferred to foreign service or sent on deputation out of India, he shall remain subject to the regulations of the Fund in the same manner as if he were not so transferred or sent on deputation.

*Realisation of Subscirptions*

10. *Realisation of subscription.*—(1) When emoluments are drawn from the Board's Fund in India or from an authorised office of disubrsement outside India, recovery of subscriptions on account of these emoluments and of the principal and interest of advances shall be made from the emoluments themselves.

(2) When emoluments are drawn from any other source, the subscriber shall forward his dues monthly to the Accounts Officer :

Provided that in the case of a subscriber on deputation to Central/State Government or a body corporate, owned or controlled by Central/State Government, the subscriptions shall be recovered and forwarded to the Accounts Officer by such Government/body.

(3) If a subscriber fails to subscribe with effect from the date on which he is required to join the Fund or is in default in any month or months during the course of a year otherwise than is provided in regulation 7, the total amount due to the Fund on account of arrears of subscription shall, with interest thereon at the rate provided in Rule 11, forthwith be paid by the subscriber to the Fund or in default be ordered by the Accounts Officer to be recovered by deduction from the emoluments of the subscriber by instalments or otherwise, as may be directed by the authority competent to sanction an advance for the grant of which special reasons are required under sub-regulation (2) of regulation 12.

Provided that subscribers whose deposits in the Fund carry no interest shall not be required to pay any interest.

INTEREST

11. *Interest.*—(1) Subject to the provisions of sub-regulation (5), Board shall pay to the credit of the account of a subscriber interest, at such rate as may be determined for each year according to the method of calculation prescribed from time to time by the Government of India for its own employees.

(2) Interest shall be credited with effect from the last day in each year in the following manner :—

(i) on the amount to the credit of a subscriber on the last day of the preceding year, less any sums withdrawn during the current years—interest for twelve months :

(ii) on sums withdrawn during the current year—interest from the beginning of the current year up to the last day of the month preceding the month of withdrawal

(iii) on all the sums credited to the subscriber's account after the last day of the preceding year—interest from the date of deposit upto the end of the current year;

(iv) the total amount of interest shall be rounded to the nearest whole rupee (0.50 paise counting as the next higher rupee);

Provided that when the amount standing to the credit of a subscriber has become payable, interest shall thereupon be credited under this regulation in respect only of the period from the beginning of the current year or from the date of deposit, as the case may be, up to the date on which the amount standing to the credit of the subscriber becomes payable.

(3) In this regulation, the date of deposit shall in the case of recoveries from emoluments be deemed to be the first day of the month in which it is recovered, and in the case of amounts forwarded by the subscriber, shall be deemed to be the first day of the month of receipt, if it is received by the Accounts Officer before the fifth day of that month, but if it is received on or after the fifth day of that month, the first day of the next succeeding month :

Provided that where there has been delay in the drawal of pay or leave salary and allowances of a subscriber and consequently the recovery of his subscription towards the Fund, the interest on such subscriptions shall be payable from the month in which the pay or leave salary of the subscriber was due under the regulation, irrespective of the month in which it was actually drawn :

Provided further that in the case of an amount forwarded in accordance with the proviso to sub-regulation (2) of

regulation 10, the date of deposit shall be deemed to be the first day of the month if it is received by the Accounts Officer before the fifteenth day of that month :

Provided further that where the emoluments for a month are drawn and disbursed on the last working day of the same month the date of deposit shall, in the case of recovery of his subscriptions, be deemed to be the first day of the succeeding month.

(4) In addition to any amount to be paid under regulation 17, 18 or 19, interest thereon up to the end of the month preceding that in which the payment is made, or up to the end of the sixth month after the month in which such amount, become payable whichever of these periods be less, shall be payable to the person to whom such amount is to be paid :

Provided that where the Accounts Officer has intimated to that person (or the agent) a date on which he is prepared to make payment in cash, or has posted a cheque in payment to that person, interest shall be payable only up to the end of the month preceding the date so intimated, or the date or posting the cheque, as the case may be :

Provided further that where a subscriber on deputation to Central/State Government or a body corporate, owned or controlled by the Central/State Government or an autonomous organisation registered under the Societies Registration Act, 1860 (21 of 1860) is subsequently absorbed in such Government or body corporate or organisation with effect from a retrospective date, for the purpose of calculating the interest due on the Fund accumulations of the subscriber, the date of issue of the orders regarding absorption shall be deemed to be the date on which the amount to the credit of the subscriber became payable subject, however, to the condition that the amount recovered as subscription during the period commencing from the date of absorption and ending with the date of issue of orders of absorption shall be deemed to be subscription to the Fund only for the purpose of awarding interest under this sub-regulation :

NOTE.—Payment of interest on the Fund balance beyond a period of 6 months may be authorised by—

(a) Accounts Officer up to a period of one year; and

(b) the immediate superior to the Accounts Officer up to any period;

after he has personally satisfied himself that the delay in payment was occasioned by circumstances beyond the control of the subscriber or the person to whom such payment was to be made, and in every such case the administrative delay involved in the matter shall be fully investigated and action, if any required, taken.

(5) Interest shall not be credited to the account of a subscriber if he informs the Accounts Officer that he does not wish to receive it; but if he subsequently asks for interest, it shall be credited with effect from the first day of the year in which he asks for it.

(6) In case a subscriber is found to have drawn from the Fund an amount in excess of the amount standing to his credit on the date of the drawal, the overdrawn amount, irrespective of whether the overdrawal occurred in the course of an advance or a withdrawal or the final payment from the fund, shall be repaid by him with interest thereon in one lump sum, or in default, be ordererd to be recovered by deduction in one lump sum, from the emoluments of the subscriber. If the total amount to be recovered is more than half of the subscriber's emoluments, recoveries shall be made in monthly instalments of moieties of his emoluments till the entire amount together with interest, is recovered. For this sub-regulation the rate of interest to be charged on overdrawn amount would be 2½% over and above the normal rate on Provident Fund balance under sub-regulation (1). The interest realised on the overdrawn amount shall be credited to the Board's account under a distinct sub-head "Interest on overdrawals from Provident Fund" under the head "Other Receipts."

## ADVANCES FROM THE FUND

12. Advances from the fund.—(1) The appropriate sanctioning authority may sanction the payment to any subscriber of an advance consisting of a sum of whole rupees and not exceeding in amount three month's pay or half the amount standing to his credit in the Fund, whichever is less, for one or more of the following purposes :—

(a) to pay expenses in connection with the illness, confinement or a disability, including where necessary, the travelling expenses of the subscriber and members of his family or any person actually dependent on him ;

(b) to meet cost of higher education, including where necessary, the travelling expenses of the subscriber and members of his family or any person actually dependent on him in the following cases, namely :—

(i) for education outside India for academic, technical, profession or vocational course beyond the High School stage; and

(ii) for any medical, engineering or other technical or specialised course in India beyond the High School stage, provided that the course of study is for not less than three years.

(c) to pay obligatory expenses on a scale appropriate to the subscriber's status which by customary usage the subscriber has to incur in connection with betrothal or marriages, funerals or other ceremonies;

(d) to meet the cost of legal proceedings instituted by or against the subscriber, any member of his family or any person actually dependent upon him, the advance in this case being available in addition to any advance admissible for the same purpose from Board's any other source.

(e) to meet the cost of the subscriber's defence where he engages a legal practitioner to defend himself in an enquiry in respect of any alleged official misconduct on his part.

(f) to meet the cost of plot or construction of a house or flat for his residence or to make any payment towards the allotment of plot or flat by the Delhi Development Authority or a State Housing Board or a House Building Co-operative Society.

(1-A) The Chairman may, in special circumstances, sanction the payment to any subscriber of an advance if he is satisfied that the subscriber concerned requires the advance for reasons other than those mentioned in sub-regulation (1).

1-A) The Chairman may, in special circumstances, sanction the payment to any subscriber of an advance if he is satisfied that the subscriber concerned requires the advance for reasons other than those mentioned in sub-regulation (1).

(2) An advance shall not, except for special reasons to be recorded in writing, be granted to any subscriber in excess of the limit laid down in sub-regulation (1) or until repayment of the last instalment of any previous advance.

(3) When an advance is sanctioned under sub-regulation (2) before repayment of last instalment of any previous advance is completed the balance of any previous advance and the instalments for recovery shall be fixed with reference to the consolidated amount.

(4) After sanctioning the advance, the amount shall be drawn on an authorisation from the Accounts Officer in case where the application for Final payment had been forwarded to the Accounts Officer under clause (ii) of sub-regulation (3) of regulation 20.

*Note* 1.—For the purpose of this regulation, pay includes pay, dearness pay where admissible.

*Note* 2.—A subscriber shall be permitted to take an advance once in every six months under item (b) of sub-regulation (1) of regulation 12.

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13. *Recovery of advances.*—(1) An advance shall be recovered from the subscriber in such number of equal monthly instalment as the sanctioning authority may direct: but such number shall not be less than twelve unless the subscriber so elects and more than twenty-four. In special cases where the amount of advance exceeds three months' pay of the subscriber under sub-regulation (2) of regulation 12, the sanctioning authority may fix such number of instalments to be more than twenty-four but in no case more than thirty-six. A subscriber may, at his option, may repay in more than one instalment in a month. Each instalment shall be a number of whole rupees, the amount of the advance being raised or reduced, if necessary, to admit of the fixation of such instalments.

(2) Recovery shall be made in the manner prescribed in regulation 10 for the realisation of subscriptions, and shall commence with the issue of pay for the month following the one in which the advance was drawn. Recovery shall not be made, except with the subscriber's consent while he is in receipt of subsistence grant or is on leave for ten days or more in a calendar month which either does not carry any leave salary or carries leave salary equal to or less than half pay or half average pay, as the case may be. The recovery may be postponed, on the subscriber's written request, by the sanctioning authority during recovery of an advance of pay granted to the subscriber.

(3) If an advance has been granted to a subscriber and drawn by him and the advance is subsequently disallowed before repayment is completed the whole or balance of the amount withdrawn shall forthwith be repaid by the subscriber to the Fund, or in default, be ordered by the Accounts Officer to be recovered by deduction from the emoluments of the subscriber in a lump sum or in monthly instalments not exceeding twelve as may be directed by the authority competent to sanction an advance for the grant of which special reasons are required under sub-regulation (2) of regulation 12.

Provided that, before such advance is disallowed, the subscriber shall be given an opportunity to explain to the sanctioning authority in writing and within fifteen days of the receipt of the communication why the repayment shall not be enforced and if an explanation is submitted by the subscriber within the said period of fifteen days, it shall be referred to the Chairman for decision; and if no explanation within the said period is submitted by him, the repayment of the advance shall be enforced in the manner prescribed in this sub-regulation.

(4) Recoveries made under this rule shall be credited as they are made to the subscriber's account in the Fund.

14. *Wrongful use of advance.*—Notwithstanding anything contained in these rules, if the sanctioning authority has reason to doubt that money drawn as an advance from the Fund under the regulation 12 has been utilised for a purpose other than that for which sanction was given to the drawal of the money, he shall communicate to the subscriber the reasons for his doubt and require him to explain in writing and within fifteen days of the receipt of such communication whether the advance has been utilised for the purpose for which sanction was given to the drawal of the money. If the sanctioning authority is not satified with the explanation furnished by the subscriber within the said period of fifteen days, the sanctioning authority shall direct the subscriber to repay the amount in question to the Fund forthwith or, in default, order the amount to be recovered by deduction in one lump sum from the emoluments of the subscriber even if he be on leave. If, however, the total amount to be repaid be more than half the subscriber's emoluments, the recoveries shall be made in monthly instalments of moieties of his emoluments till the entire amount is repaid by him.

## WITHDRAWALS FROM THE FUND

15. *Withdrawal from the fund.*—(1) Subject to the conditions specified therein, withdrawals may be sanctioned by the authorities competent to sanction an advance for special reasons under sub-regulation (2) of regulation 12, at any time—

(A) After completion of twenty years of service (including broken periods of service, if any) of a subscriber or within ten years before the date of his retirement on superannuation, whichever is earlier, from the amount standing to his credit in the Fund, for one or more of the following purposes, namely :—

(a) meeting the cost of higher education, including where necessary, the travelling expenses of the subscriber or any child of the subscriber in the following cases, namely :—

(i) for education outside India for academic, technical, professional or vocational course beyond the High School stage, and

(ii) for any medical, engineering or other technical or specialised course in India beyond the High School stage;

(b) meeting the expenditure in connection with the betrothal/marriage of the subscriber or his sons or his daughters, and any other female relation actually dependent on him;

(c) meetinng the expenses in connection with the illness including where necessary, the travelling expenses, of the subscriber and members of his family or any person actually dependent on him;

(B) After the completion of ten years of service (including broken periods of service, if any) of a subscriber or within ten years before the date of his retirement on superannuation, whichever is earlier, from the amount standing to his oredit in the Fund for one or more of the following purposes, namely :—

(a) building or acquiring a suitable house or ready-built flat for his residence including the cost of the site ;

(b) repaying an outstanding amount on account of loan expressly taken for building or acquiring a suitable house or ready-built flat for his residence ;

(c) purchasing a house-site for building a house thereon for his residence or repaying any outstanding amount on account of loan expressly taken for this purpose :

(d) reconstructing or making additions or alterations to a house or a flat already owned or acquired by a subscriber ;

(e) renovating, additions or alterations or upkeep of an ancestral house at a place other than the place of duty or to a house built with the assistance of loan from the Board at a place other than the place of duty ;

(f) constructing a house on a site purchased under Clause (c) :

(C) Within six months before the date of the subscriber's retirement, from the amount standing to his credit in the Fund for the purpose of acquiring a farm land or business premises or both.

(D) Once during the course of a financial year, an amount equivalent to one year's subscription paid for by the subscriber towards the Group Insurance Scheme for the Board's employees on self-financing and contributory basis.

NOTE 1. A subscriber who has availed himself of an advance under the Scheme of the Ministry of Urban Development or the Board for the grant of advance for house-building purpose or has been allowed any assistance in this regard from Boards source, shall be eligible for the grant of final withdrawal under sub-clause (a), (c) (d) and (f) of clause (B) for the purposes specified therein and also for the purpose of repayment of any loan taken under the aforesaid Scheme subject to the limit specified in the provisio to sub-regulation (1) to regulation 16.

If a subscriber has an ancestral house or built a house at a place other than the place of his duty with the assistance of loan taken from the Board he shall be eligible for the grant of a final withdrawal under sub-clause (a), (c) and (f) of clause (B) for purchase of a house site or for construction of another house or for acquiring a ready-built flat at the place of his duty.

NOTE 2. Withdrawal under sub-clauses (a), (d), (e), or (f) of clause (B) shall be sanctioned only after a subscriber has submitted a plan of the house to be contructed or of the additions or alterations to be made, duly approved by the local municipal body of the area where the site or house is situated and only in cases where the plan is actually got to be approved.

NOTE 3. The amount of withdrawal sanctioned under sub-clase (b) of clause (B) shall not exceed 3/4th of the balance on date of application together with the amount of previous withdrawal under sub-clase (a), reduced by the amount of previous withdrawal. The formula to be followed is 3/4th of (the balance as on date plus amount of previous withdrawal (s) for the house in question) minus the amount of the previous withdrawal (s).

NOTE 4. Withdrawal under sub-clause (a) or (d) of clause (B) shall also be allowed where the house site or house is in the name of wife or husband provided she or he is the first nominee to receive Provident Fund money in the nomination made by the subscriber.

NOTE 5. Only one withdrawal shall be allowed for the same purpose under this regulation. But marriage or education of different children or illness on different occasions or a further addition or alteration to a house or flat covered by a fresh plan duly approved by the local municipal body of the area where the house or flat is situated shall not be treated as the same purpose. Second or subsequent withdrawal under sub-clause (a) or (f) of clause (B) for completion of the same house shall be allowed subject to the limit laid down under NOTE 3.

NOTE 6. A withdrawal under this regulation shall not be sanctioned if an advance under regulation 12 is being sanctioned for the same purpose and at the same time.

(2) Whenever a subscriber is in a position to satisfy the competent authority about the amount standing to his credit in the General Provident Fund Account with reference to the latest available statement of General Provident Fund Account together with the evidence of subsequent contribution, the competent authority may itself sanction withdrawal within the prescribed limits, as in the case of a refundable advance. In doing so, the competent authority shall take into account any withdrawal or refundable advance already sanctioned by it in favour of the subscriber. Where, however, the subcriber is not in a position to satisfy the competent authority about the amount standing to his credit or where there is any doubt about the admissibility of the withdrawal applied for, a reference may be made to the Account Officer by the competent authority for ascertaining the amount standing to the credit of the subscriber with a view to enable the competent authority to determine the admissibility of the amount of withdrawal. The sanction for the withdrawal should prominently indicate the General Provident Fund Account Number and the Accounts Officer maintaining the accounts and a copy of the sanction for withdrawal should invariably be endorsed to that Accounts Officer. The sanctioning authority shall be responsible to ensure that an acknowledgement is obtained from the Accounts Officer that the sanction for withdrawal has been noted in the ledger account of the subscriber. In case the Accounts Officer reports that the withdrawal as sanctioned is in excess of the amount to the credit of the subscriber or otherwise inadmissible, the sum withdrawn by the subscriber shall forthwith be repaid in one lump sum by the subscriber to the Fund and in default of such repayment, it shall be ordered by the sanctioning authority to be recovered from his emoluments either in a lump sum or in such number of monthly instalments as may be determined by the Chairman.

(3) After sanctioning the withdrawal the amount shall be drawn on an authorisation from the Accounts Officer in cases where the application for final payment had fowarded to the Accounts Officer under clause (ii) of sub-regulation (3) of regulation 20.

16. Conditions for withdrawal (1) Any sum withdrawn by a subscriber at any one time for one or more of the purposes specified in regulation 15 from the amount standing to his credit in the Fund shall not ordinarily exceed one-half of such amount or six months' pay whichever is less. The sanctioning authority may, however sanction the withdrawal of an amount in excess of this limit up to 3/4th of the balance at his credit in the Fund having due regard to (i) the object for which the withdrawal is being made, (ii) the status of the subscriber, and (iii) the amount to his credit in the Fund.

Provided that in no case the maximum amount of withdrawal for purpose specified in clause (B) of sub-regulation (1) of regulation 15 shall exceed the maximum limit prescribed from time to time under Rules 2 (a) and 3 (b) of the Scheme of the Ministry of Works and Housing or of the Board for the grant of advances for house-building purposes :

Provided further that in the case of a subscriber who has availed himself of an advance under the Scheme of the Board or the Ministry of Works and Housing for the grant of advances for house-building purposes, or has been allowed any assistance in this regard from any other Board's source, the sum withdrawn under this sub-rule together with the amount of advance taken under the aforesaid Scheme or the assistance taken from any other Board's source shall not exceed the maximum limit prescribed from time to time under Rules 2 (a) and 3 (b) of the aforesaid Scheme.

(2) A subscriber who has been permitted to withdraw money from the Fund under regulation 15 shall satisfy the sanctioning authority within a reasonable period as may be specified by that authority that the money has been utilised for the purpose for which it was withdrawn and if he fails to do so, the whole of the sum so withdrawn or so much thereof as has not applied for the purpose for which it was withdrawn shall forthwith be repaid in one lump sum by the subscriber to the Fund and in default of such payment, it shall be ordered by the sanctioning authority to be recovered from his emoluments either in a lump sum or in such number of mothly instalments, as may be determined by the Chairman.

Provided that, before repayment of a withdarwal is enforced under this sub-rule, the subscriber shall be given an apportunity to explain in writing and within fifteen days of the receipt of the communication why the payment shall not be enforced ; and if the sanctioning authority is not satisfied with the explanation or no explanation is submitted by the subscriber within the said period of fifteen days, the sanctioning authority shall enforce the repayment in the manner prescribed in this sub-regulation.

(3) (a) A subscriber who has been permitted under sub-clause (a), sub-clause (b) or sub-clause (c) of clause (B) of sub-regulation (1) of regulation 15 to withdraw money from the amount standing to his credit in the Fund, shall not part with the possession of the house built or acquired or house-site purchased with the money so withdrawn, whether by way of sale, mortgage (other than mortgage to the Board), gift, exchange or otherwise, without the previous permission of the Chairman.

Provided that such permission shall not be necessary for :

(i) the house or house-site being leased for any term not exceeding three years, or

(ii) its being mortaged in favour of a Housing Board, Nationalised Banks, the Life Insurance Corporation or any other Corporation owned or controlled by the Central Government which advances loans for the construction of a new house or for making additions or alterations to an existing house.

(b) The subscriber shall submit a declaration not later than the 31st day of December of every year as to whether the house or the house-site, as the case may be, continues to be in his possession or has been mortgaged, otherwise transferred or let out as aforesaid and shall, if so required, produce before the sanctioning authority on or before the date specified by that authority in that behalf, the original sale, mortgage or lease deed and also the documents on which his title to the property is based

(c) If, at any time before his retirement, the subscriber parts with the possession of the house or house-site without obtaining the previous permission of the Chairman, he shall forthwith repay the sum so withdrawn by him in a lump sum to the Fund, and in default of such repayment, the sanctioning authority shall, after giving the subscriber a resonable opportunity of making a representation in the matter, cause the said sum to be recovered from the emoluments of the subscriber either in a lump sum or in such number of monthly instalments, as may be determined, by it.

16-A. *Conversion of an advance into a withdrawal.*—A subscriber who has already drawn or may draw in future an advance under regulation 12 for any of the purposes specified in Sub-regulation (1) of regulation 15 may convert at his discretion by written request addressed to the Accounts Officer, through the sanctioning authority, the balance outstanding again, it into a final withdrawal on his satisfying the conditions laid down in regulation 15 and 16.

## FINAL WITHDRAWAL OF ACCUMULATIONS IN THE FUND

17. *Final withdrawal of accumulations in the Fund.*—When a subscriber quits the service, the amount standing to his credit in the Fund shall become payable to him :

Provided, that a subscriber, who has been dismissed from the service and is subsequently reinstated in the service shall, if required to do so by the Board, repay any amount paid to him from the Fund in pursuance of this regulation with interest thereon at the rate provided in regulation 11 in the manner provided in the proviso to regulation 18. The amount so repaid shall be credited to his account in the Fund.

*Explanation I.*—A subscriber, who is granted refused leave shall be deemed to have quit the service from the date of compulsory retirement or on the expiry of an extension of service.

*Explanation II.*—A subscriber other than one who is appointed on contract or one who has retired from service and is subsequently re-employed with or without a break in service shall not be deemed to quit the service.

NOTE.—Transfers shall include cases of resignation from service in order to take up appointment in another Department of the Central Government or under the State Government without any break and with proper permission of the Board. In cases there has been a break in service it shall be limited to the joining time allowed on transfer to a different station.

The same shall hold good in cases of retrenchments followed by immediate employment.

*Explanation III.*—When a subscriber, other than one who is appointed on contract or one who has retired from service and is subsequently re-employed, is transferred, without any break, to the service under Central/State Government or a body corporate owned or controlled by Central/State Government, or an autonomous organisation, registered under the Societies Registration Act, 1860, the amount of subscription together with interest thereon, shall not be paid to him but shall be transferred with the consent of that Government/body, to his new Provident Fund account under that Government/body.

Transfers shall include cases of resignation from service in order to take up appointment under Central/State Government or a body corporate owned or controlled by Central/State Government or an autonomous organisation registered under the Societies Registration Act, 1860, without any break and with proper permission of the Board. The time taken to joint the new post shall not be treated as a break in service if it does not exceed the joining time admissible to a Board servant on transfer from one post to another :

Provided that the amount of subscription together with interest thereon, of a subscriber opting for service under a Public Enterprise may, if he so desires, be transferred to his new Provident Fund Account under the Enterprise if the concerned Enterprise also agrees to such a transfer. If, however, the subscriber does not desire the transfer or the concerned Enterprise does not operate a Provident Fund, the amount aforesaid shall be refunded to the subscriber.

18. Retirement of Subscriber—When a subscriber—

(a) has proceeded on leave preparatory to retirement,

(b) while on leave, has been permitted to retire or been declared by a competent medical authority to be unfit for further service,

the amount standing to his credit in the Fund shall, upon application made by him in that behalf to the Accounts Officer, become payable to the subscriber :

Provided that the subscriber, if he returns to duty, shall except where the Board decides otherwise, repay to the Fund for credit to his account, the amount paid to him from the Fund in pursuance of this regulation with interest thereon at the rate provided in regulation 11 in cash or securties or partly in cash and partly in securties, by instalments or otherwise, by recovery from his emoluments or otherwise, as may be directed by the authority competent to sanction an advance for the grant of which, special reasons are required under sub-regulation (2) of regulation 12.

19. Procedure on death of a subscriber—On the death of a subscriber before the amount standing to his credit has become payable, or where the amount has become payable, before payment has been made :

(i) when the subscriber leaves a family—

(a) if a nomination made by the subscriber in accordance with the provisions of regulation 5 or of the corresponding regulation heretofore in force in favour of a member or members of his family subsists, the amount standing to his credit in the Fund or the part thereof to which the nomination relates shall become payable to his nominee or nominees in the proportion specified in the nomination:

(b) if no such nomination in favour of a member or members of the family, of the subscriber subsists, or if such nomination relates only to a part of the amount standing to his credit in the Fund, the whole amount or the part thereof to which the nomination does not relate, as the case may be, shall, notwithstanding any nomination purporting to be in favour of any person or persons other than a member or members of his family, become payable to the members of his family in equal shares :

Provided that no share shall be payable to—

(1) sons who have attained majority;

(2) sons of a deceased son who have attained majority,

(3) married daughters whose husbands are alive,

(4) married daughters of a deceased son whose husbands are alive;

if there is any member of the family other than those specified in clauses (1), (2), (3) and (4) :

Provided further that the widow or widows and the child or children of a deceased son shall receive between them in equal parts only the share which that son would have received if he had survived the subscriber and had been exempted from the provisions of clause (1) of the first proviso—

(ii) when the subscriber leaves no family, if a nomination made by him in accordance with the provisions of regulation 5 or the corresponding regulation heretofore in force in favour of any person or persons subsists, the amount standing to his credit in the Fund or the part thereof to which the nomination relates, shall become payable to his nominee or nominees in the proportion specified in the nomination.

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19-A. *Deposit-linked Insurance Scheme* :—On the death of a subscriber, on or before 30th September, 1991 an dto whom regulation 19-B does not apply, the person entitled to receive the amount standing to the credit of the subscriber shall be paid by the Accounts Officer an additional amount equal to the average balance in the account during the 3 years immediately preceding the death of such subscriber subject to the condition that—

(a) the balance at the credit of such subscriber shall not at any time during the three years preceding the month of death have fallen below the limits of—

(i) Rs. 4,000 in the case of a subscriber who has held, for the greater part of the aforesaid period of three years, a post the maximum of the pay scale of which is Rs. 1300 or more;

(ii) Rs. 2500/- in the case of a subscriber who has held, for the greater part of the aforesaid period of three years, a post the maximum of the pay scale of which Rs. 900/- or more but less than Rs. 1300/-.

(iii) Rs. 1500/- in the case of a subscriber who has held, for the greater part of the aforesaid period of three years, a post the maximum of the pay scale of which is Rs. 291/- or more but less than Rs. 900/-.

(iv) Rs. 1000/- in the case of subscriber who has held, for the greater part of the aforesaid period of three years, a post the maximum of the pay scale of which is less than Rs 291/-.

(b) The additional amount payable under this regulation shall not exceed the ceiling of Rs. 10,000/-.

(c) the subscriber has put in at least five years service at the time of his death.

19-B. *Deposit-linked Insurance Revised Scheme*—On the death of the subscriber, the person entitled to receive the amount standing to the credit of the subscriber shall be paid by the Accounts Officer an additional amount equal to the average balance in the account during the three years immediately preceding the death of such subscriber, subject to the condition that :—

(a) the balance at the credit of such subscriber shall not at any time during the 3 years preceding the month of death have fallen below the limits of—

(i) Rs. 12,000/- in the case of a subscriber who has held, for the greater part of the aforesaid period of three years, a post the maximum of the pay scale of which is Rs. 4000/- or more.

(ii) Rs. 7500/- in the case of a subscriber who has held, for the greater part of the aforesaid period of three years, a post the maximum of the pay scale of which is Rs. 2900/- or more but less than Rs. 4000/-.

(iii) Rs. 4500/- in the case of a subscriber who has held, for the greater part of the aforesaid period of three years, a post the maximum of the pay scale of which is Rs. 1151/- or more but less than Rs. 2900/-.

(iv) Rs. 3000/- in the case of a subscriber who has held, for the greater part of the aforesaid period of three years, a post the maximum of the pay scale of which is less than Rs. 1151/-.

(b) The additional amount payable under this regulation shall not exceed Rs. 30,000/-.

(c) The subscriber has put in at least 5 years service at the time of his/her death.

*Note* :—1. The average balance shall be worked out on the basis of the balance at the credit of the subscriber at the end of each of the 36 months, preceding the month in which the death occurs. For this purpose, as also for ch[illegible] the minimum balance prescribed above—

(a) The balance at the end of March, shall include the annual interest credited in terms of regulation 11; and,

(b) if the last of the aforesaid 36 months is not March, the balance at the end of said last month shall include interest in respect of the period from the beginning of the financial year in which death occurs to the end of the said last month.

*Note* :—2. Payment under this scheme should be in whole rupee if an amount due includes a fraction of a rupee it should be rounded to the nearest rupee (50 paise counting as the next higher rupee).

*Note* :—3. Any sum payable under this scheme is in the nature of insurance money and therefore, the statutory protection given by Section 3 of the Provident Funds Act, 1925 (Act 19 of 1925) does not apply to sums payable under this scheme.

*Note* :—4. The scheme also applies to those subscribers of the funds who are transferred to an autonomous organisation consequent upon conversion of a Government Department into such a body and who, on such transfer, opt in terms of option given to them to subscribe to the Fund in accordance with these regulations.

*Note* :—5 (a) In case of a Board servant who has been admitted to the benefits of the Funds under regulation 21 but died before completion of three years of service or as the case may be, five years of service from the date of his admission to the Fund, the period of his service under the previous employer in respect whereof the amount of his subscription and the employer's contribution, if any, together with interest have been received shall count for purpose of clause (a) and clause (c).

(b) In case of persons appointed on tenure basis and in the case of re-employed pensioners, service rendered from the date of such appointment or re-employment, as the case may be, only will count for purposes of this regulation.

(c) The scheme does not apply to persons appointed on contract basis.

*Note* :—6. The Budget Estimates of expenditure in respect of this scheme will be prepared by the Accounts Officer responsible for maintenance of the account of the Fund having regard to the trend of expenditure, in the same manner as estimates are prepared for other retirement benefits.

## PAYMENT

20. *Manner of payment of amount in the Fund.*—(1) When the amount standing to the credit of a subscriber in the Fund becomes payable, it shall be the duty of the Accounts Officer to make payment on receipt of a written application in this behalf as provided in sub-regulation (3).

(2) If the person to whom, under these regulation any amount is to be paid, is a lunatic for whose estate a Manager has been appointed in this behalf under the Indian Lunacy Act, 1912, the payment shall be made to such Manager and not to the lunatic:

Provided that where no Manager has been appointed and the person to whom the sum is payable is certified by a Magistrate to be a lunatic, the payment shall under the orders of the Collector be made in terms of sub-section (1) of Section 95 of the Indian Lunacy Act, 1912 to the person having charge of such lunatic and Accounts Officer shall pay only the amount which he thinks fit to the person having charge of the lunatic and the surplus, if any, or such part thereof, as he thinks fit, shall be paid for the maintenance of such members of the lunatic's family as are dependent on him for maintenance.

(3) Payments of the amount withdrawn shall be made in India only. The persons to whom the amounts are payable shall make their own arrangements to receive payment

in India. The following procedure shall be adopted for claiming payment by a subscriber, namely :—

(i) To enable a subscriber to submit an application for withdrawal of the amount in the Fund, the Head of Office shall send to every subscriber necessary forms either one year in advance of the date on which the subscriber attains the age of superannuation, or before the date of his anticipated retirement, if earlier, with instructions that they should be returned to him duly completed within a period of one month from the date of receipt of the forms by the subscriber. The subscriber shall submit the application to the Accounts Officer through the Head of Office for payment of the amount in the Fund. The application shall be made—

(a) for the amount standing to his credit in the Fund as indicated in the Accounts Statement for the year ending one year prior to the date of his superannuation, or his anticipated date of retirement, or

(b) for the amount indicated in his ledger account in case the Accounts Statement has not been received by the subscriber.

(ii) The Head of Office shall forward the application to the Accounts Officer indicating the recoveries effected against the advances which are still current and the number of instalments yet to be rocevered and also indicate the withdrawals, if any, taken by the subscriber after the period covered by the last statement of the subscriber's account sent by the Accounts Officer.

(iii) The Accounts Officer shall, after verification with the ledger account, issue an authority for the amount indicated in the application at least a month before the date of superannuation but payable on the date of superannuation.

(iv) The authority mentioned in clause (iii) will constitute the first instalment of payment. A second authority for payment will be issued as soon as possible after superannuaion. This will relate to the contribution made by the subscriber subsequent to the amount mentioned in the aplication submitted under clause (i) plus the refund of instalments against advances which were current at the time of the first application.

(v) While forwarding the appliction for the final payment to the Accounts Officer, advance/withdrawal [illegible] sanctioned but the amount of advance/withdrawal shall be drawn on an authorisation from the Accounts Officer concerned who shall arrange this as soon as the formal sanction of sanctioning authority is received by him.

## TRANSFER OF ACCUMULATION IN THE FUND

21. Procedure on transfer to Board service of a person from the service under Central/State Government or a body corporate owned or controlled by Central/State Government or an autonomous organisation, registered under the Societies Registration Act, 1860:—If a Board employee admitted to the benefit of the Fund was previously a subscriber to any Provident Fund of Central/State Government or a body corporate owned or controlled by Central/State Government, or an automonous organisation, registered under the Societies Registration Act, 1860, the amount of his subscriptions and the employer's contribution, if any, together with the interest thereon shall be transferred to his credit in the Fund with the consent of that Government/body.

22. Transfer of amount to the Contributory Provident (NCRPB) Fund :

If a subscriber to the Fund is subsequently admitted to the benefits of the Contributory Provident (NCRPB) Fund the amount of his subscriptions, together with interest thereon, shall be transferred to the credit of his account in the Contributory Provident (NCRPB) Fund.

## RELEXATION OF REGULATIONS

23. *Relaxation of the provisions of the regulation in individual cases.*—When the Chairman is satisfied that the operation of any of these rules causes or is likely to cause undue hardship to a subscriber, he may, notwithstanding anything contained in these regulations, deal with the case of such subscriber in such manner as may appear to him to be just and equitable.

## PROCEDURE REGULATIONS

24. *Number of account to be quoted at the time of the payment of subscription.*—When paying a subscription in India, either by deduction from emoluments or in cash, a subscriber shall quote the number of his account in the Fund, which shall be communicated to him by the Accounts Officer. Any change in the number shall similarly be communicated to the subscriber by the Accounts Officer.

25. *Annual statement of accounts to be supplied to subscriber.*—(1) As soon as possible after the close of each year, the Accounts Officer shall send to each subscriber a statement of his account in the Fund showing the opening balance as on the 1st April of the year, the total amount credited or debited during the year, the total amount of interest credited as on the 31st March of the year and the closing balance on that date. The Accounts Officer shall attach to the statement of account an enquiry whether the subscriber—

(a) desires to make any alteration in any nomination made under regulation 5 or under the corresponding regulation heretofore in force;

(b) has acquired a family in cases where the subscriber has made no nomination in favour of a member of his family under the proviso to sub-regulation (1) of regulation 5.

(2) Subscribers should satisfy themselves as to the correctness of the annual statement and errors should be brought to the notice of the Accounts Officer within three months from the date of the receipt of the statement.

(3) The Accounts Officer shall, if required by a subscriber once, but not more than once, in a year inform the subscriber of the total amount standing to his credit in the Fund at the end of the last month for which his account has been written up.

26. *Interpretation.*—If any question arises relating to the interpretation of these regulations, it shall be referred to the Board whose decision thereon shall be final.

27. *Administration of Funds.*—The Fund shall be administered by Member Secretary.

28. *Investment of Funds.*—The Fund shall be invested on the pattern and in the securities approved by the Government of India from time to time.

29. All decisions and orders issued by the Central Government in amplifications clarifications of their General Provident Fund (Central Services) Rules, 1960 in relation to its own employees would apply mutatis-mutandis to the employees of this Board. Similarly amendments/modifications/additions to the General Provident Fund (Central Services) Rules, 1960 made from time to time by the Central Government for its own employees would apply mutatis-mutandis to the employees of the Board.

30. Any amendment/change to these rules shall be carried out in consultation with Ministry of Finance/Department of Pension and Pensioner's Welfare.

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nominee(s) of my family as defined in regulation 2(e) of the National Pension Provident Fund Regulations, 1993 to receive the amount that may stand to my credit in the event of my death before that amount has become payable or having been

| Name and full address of the nominee(s) | Relationship with the Subscriber. | Age of the Nominee. | Share payable to each nominee. | Contingencies on the happenning of which the nomination will become invalid. | Name, address and relationship of the person(s) if any to whom the right of nominee shall pass in the event of his/her predeceasing the subscriber. | If any of the nominee(s) is a minor as provided in regulation 2 indicate the reasons. |
|---|---|---|---|---|---|---|
| | | | | | | |

Dated this .....day of 19.....at.....

Signature of the subscriber.....

Name in block letters .....

Designation.....

Two witnesses to signature

Name and address

1. Signature

2.

Space for use by the Head of Office/ Finance & Accounts Officer

Nomination by Shri/Smt./Kumari Designation

Date of receipt of nomination

Signature of Head of Office/Finance & Accounts Officer

Designation

Date :

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GPF

*actions for subscriber*

(a) Your name may be filled in.

(b) Name of the fund may be completed suitably.

(c) Definition of term "family" as given in the National Capital Region Planning Board General Provident Fund Regulations 1990 is reproduced below :

*family means* :

(i) In the case of a male subscriber, the wife or wives, parents, children, minor brothers, unmarried sisters, deceased son's widow and children and where no parents of the subscriber is alive, a parental grandparents.

*Provided that*—

if a subscriber proves that his wife has been judicially separated from him or has ceased under the customary law of the community to which she belongs to be entitled to maintenance she shall henceforth be deemed to be no longer a member of the subscriber's family in matters to which these rules relate unless the subscriber subsequently intimates in writing to the Accounts Officer that who shall continue to be so regarded.

(ii) in the case of a female subscriber, the husband, parents, children, minor brothers, unmarried sisters, deceased son's widow and children, and where no parents of the subscriber is alive, ea parental grandparents.

*provided that* :—

if a subscriber by notice in writing to the Accounts Officer expresses her desire to exclude her husband from her family, the husband shall henceforth be deemed to be no longer a member of the subscriber's family in matters to which these rules relate unless the subscriber subsequently cancels such notice in writing.

NOTE : Child means legitimate child and includes an adopted one, where adoption is recognised by the personal law governing the subscriber.

(d) Col. 4 If only one person is nominated the words "in full" should be written against the nominee. If more than one person is nominated, the share payable to each nominee over the whole amount of the Provident Fund shall be specified.

(e) Col. 5 Death of nominee(s) should not be mentioned as contingency in this column.

(f) Col. 6 Do not mention your name.

(g) Draw line across the blank space below last entry to prevent insertion of any name after you have signed.

K. K. BHATNAGAR
Member Secretary

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23. अधिसूचना सं० पी०-III/ए०डी०एम० आर०II/16 (63)79/एपी० दिनांक 14-12-84 दिनांक 29-12-84 को भारतीय राजपत्र के भाग-III, खण्ड-4 में प्रकाशित।

24. अधिसूचना सं० पी-4/2(9)/83/सहायक /मुख्य लिपिक/15898, दिनांक 1-8-86 दिनांक 16-8-86 को भारत के राजपत्र भाग-III, खंड-4 में प्रकाशित।

25. अधिसूचना सं० पी-4/1(13)/84/ए/20653 दिनांक 22-8-86 दिनांक 6-9-1986।

26. अधिसूचना सं० पी-4/2(4)/83/आर० आर० दिनांक 31-10-86 दिनांक 15-11-86 को भारत के राजपत्र भाग-III, खंड-4 में प्रकाशित।

27. अधिसूचना सं० पी० 4/1(4) 85, दिनांक 7-5-87 दिनांक 23-5-87 को भारत के राजपत्र भाग-III खंड-4 में प्रकाशित।

28. अधिसूचना सं० पी-4/1(14)/84/ए०, दिनांक-18-5-87 दिनांक 30-5-87 को भारत के राजपत्र भाग-III, खंड 4 में प्रकाशित।

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राष्ट्रीय राजधानी क्षेत्र योजना बोर्ड

नई दिल्ली, दिनांक 7 जुलाई 88

सं० सी-11031/1/88-रा० रा० क्षे० यो० बो०-राष्ट्रीय राजधानी क्षेत्र योजना बोर्ड अधिनियम, 1985 (1985 का 2) की धारा 37 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह बोर्ड, केन्द्रीय सरकार के पूर्वानुमोदन से, राष्ट्रीय राजधानी क्षेत्र योजना बोर्ड विनियमन 1986 में एतद्द्वारा निम्नलिखित संशोधन करता है, नामतः—

1. (1) इन विनिययनों को राष्ट्रीय राजधानी क्षेत्र योजना बोर्ड (संशोधन) विनियमन, 1988 कहा जाए।

(2) ये सरकारी राजपत्र में प्रकाशन की तारीख से प्रवत्त होंगे।

2. राष्ट्रीय राजधानी क्षेत्र योजना बोर्ड विनियमन, 1986 के विनियमत 6 में "सामान्य भविष्य निधि" के पश्चात "या अंशदायी भविष्य निधि" शब्दों में शामिल किया जाए।

पाद टिप्पणी

भारत के राजपत्र के भाग-III खंड-4 में 24-5-86 को प्रकाशित राष्ट्रीय राजधानी क्षेत्र योजना बोर्ड विनियमन, 1986 की दिनांक 3-3-1986 की मूल अधिसूचना संख्या सी० 11031/1/86-रा० रा० क्षे० यो० बोर्ड तदनुपरान्त दिनांक 14-12-1987 को भारत के राजपत्र के भाग-III खंड-4 में प्रकाशित दिनांक 14-12-1987 की संशोधित अधिसूचना संख्या सी०-11031/1/86-रा० रा० क्षे० यो० बोर्ड तथा प्रकाशन हेतु प्रतिक्षित दिनांक 7-7-88 की अधिसूचना संख्या सी०-11031/1/88 रा० रा० क्षे० यो० बोर्ड

के० के० भटनागर
सदस्य सचिव

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RESERVE BANK OF INDIA

PUBLIC DEBT OFFICE

Bombay-400001, the 6th July 1988

R.B.I. Notification No.LN/SPL-2 I.F.C Bonds —In pursuance of Regulation 10 of Industrial Finance Corporation (Issue of Bonds) Regulations, 1949 framed under Section 43 of the Industrial Finance Corporation Act, 1948 (XV of 1948) the following list for the half-year ended 30th June 1988 of I.F.C.I. Bonds lost, destroyed etc. in respect of which prima facie grounds exist for believing that the Bonds haves been lost and that the claim of the applicant is just, is hereby published. All persons other than the respective claimants named below, who have any claim upon these Bonds should communicate immediately with the Manager, Reserve Bank of India, Bombay-400 001.

2. The list is devided into two parts Parts 'A' being the list of securities advertised for the first time and Part 'B' the list of securities previously advertised.

| Bond No. | Value in Rs. | In whose name issued | From what date bearing interest | Name(s) of the claimant(s) for payment) of discharge value | No. and date of orders issued | Date of publication of the list in which the security was first published |
|---|---|---|---|---|---|---|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |

LIST—'A'

—NIL—